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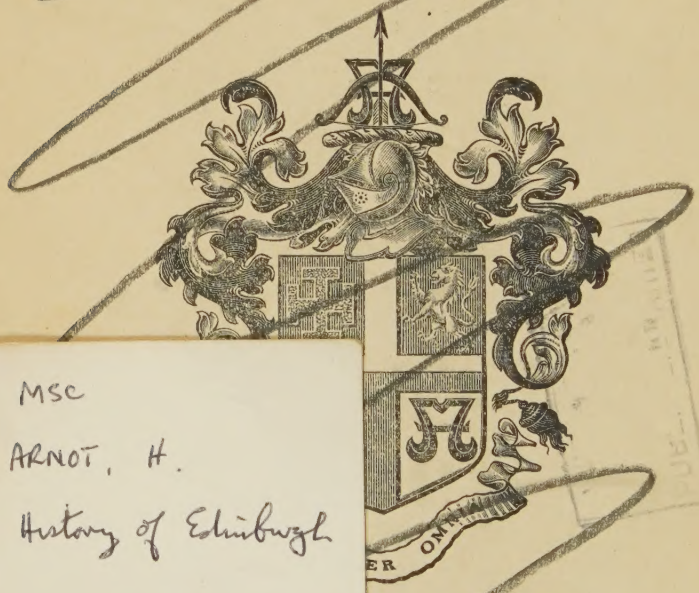

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THE

History of Edinburgh,

FROM THE EARLIEST ACCOUNTS,

TO THE YEAR 1780.

CONTAINING

I. An Historical Account of the Revolutions in Scotland from 1093.
II. The Manners—Learning—Trade—Religion—Prices of Provisions—Discovery of Coal—Public Amusements, &c.
III. Progress and Present State of the City of Edinburgh.
IV. Public Buildings and Establishments, &c.
V. An Account of the University, and other Seminaries of Learning, and Literary Societies.
VI. Legislative and Judicative Assemblies, with an Account of their Jurisdictions.
VII. Political and Military Constitution—Charitable Institutions—Revenue.
VIII. An Account of Leith, its Trade, Shipping, Manufactures, &c.

WITH

AN APPENDIX,

CONTAINING

I. A Dissertation on Scottish Music.
II. An Account of Remarkable Funeral Processions.
III. A Comparative View of the Modes of Living—Manners—Literature—Trade—and Improvements of the City, from the year 1763 to 1783, &c. &c.

BY HUGO ARNOT, ESQ. ADVOCATE,

AUTHOR OF THE COLLECTION OF CELEBRATED CRIMINAL TRIALS IN SCOTLAND.

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A SKETCH OF THE IMPROVEMENTS OF THE CITY,

FROM 1780 TO 1816.

EMBELLISHED WITH AN ELEGANT PLAN OF THE CITY.

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PRINTED BY THOMAS TURNBULL,
OLD ASSEMBLY CLOSE.

1816.

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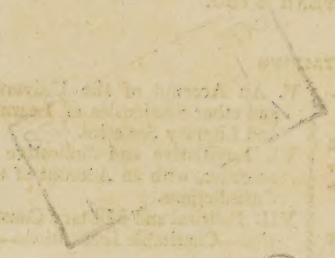

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PREFACE.

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WHEN I formed the resolution of writing a History of Edinburgh, I intended to have composed a work on a limited scale. But the discovery of various materials which tended to illustrate the state of manners, and to throw a new light on certain public transactions, induced me to enlarge my plan.

THE affairs of a kingdom, and of its capital, are so closely interwoven, that, in a history of the latter, to connect or separate with propriety their respective affairs, requires nice discernment. In admitting or rejecting from this work a detail of national occurrences, I have been influenced by a joint consideration of their connection with the capital, of their intrinsic importance, and of their having been faintly described by former writers, or exhibited in a point of view inconsistent with historical justice.

I HAVE had to search into most of the public records in Scotland. Whether the materials I have discovered be equal to the labour of my researches, is not for me to determine. I have had to travel through the pro-

lix jargon of polemical writers. It may, perhaps, be superfluous to add, that a history which describes, without reserve, the enormities of different parties in a nation, where contending factions, inflamed by bigotry, have mutually tyrannized over, or rebelled against each other, will afford to all parties ample occasion for remark. With respect to the odium I may incur on this account, I must console myself by reflecting, that a person who has not set his mind above being affected by the calumnies of faction, is utterly unqualified for the duties of an historian.

It has afforded me great satisfaction, in the course of this work, that I have received, on all hands, the most cheerful and liberal assistance. The Town-council of Edinburgh, and the keepers of all the public records, have given me the most ready access to their repositories. And, in the different offices for collecting the public revenue, the most ready information has been afforded me. Principal Watson of St Salvadore's, and Professor Brown of St Mary's Colleges St Andrews, as well as Principal Chalmers, and the Professors of King's College Aberdeen, have, in the most obliging manner, communicated to me such of their records as could be serviceable to this undertaking. And the Professors in the University of Edinburgh have lent me every requisite assistance.

I have been laid under no less obligations to individuals. In my search for materials, Sir David Dalrymple pointed out to me those paths which he him-

self has so accurately traced. To John Davidson, Esq. Writer to the Signet, I am indebted for the communication of ancient records and curious manuscripts, preserved in the archives of great and noble families. He enhanced the favour by an explanation of many barbarous phrases in those papers, which to me were unintelligible. To William Tytler, Esq. Writer to the Signet, I owe particular obligations. Let me not omit to acknowledge the polite and friendly attention with which DAVID GARRICK, Esq. communicated to me some curious and valuable manuscripts.—Alas! I little thought that this was to be a tribute to his memory only.

EDINBURGH,
March 1, 1779.

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THE Origin of Nations, of Cities, and of Families, is commonly enveloped in obscurity. Fable is called to assist vanity; and the memory of their real foundations being lost, it affects to deduce their origin from remote antiquity. But, if they have sprung up in rude ages, when the use of letters was unknown, and far less public archives were established, their primary institution will be shaded with a deep mist, through which tradition, etymology, and conjecture, can dart but a faint and uncertain glimmering.

To these disadvantages a variety of circumstances may be added, which have tended to involve the History of Edinburgh, during its early periods, in peculiar obscurity. Situated in one of the six Roman provinces established in this island, name Valentia *†, and in the Pictish ‡ territories, which were finally conquered from them by the Scots under Kenneth II. ||, it was the scene of perpetual incursions, devastations, and bloodshed: Still more so in the wars between the Scots and English, the latter of whom, under the auspices of Edward I. §, with malicious policy, destroyed all the public records of this country. The traces of its history, therefore, in those remote periods, must be faint and uncertain; and, to investigate them, a matter rather curious than important.

The most ancient name that we find applied to Edinburgh Castle is *Castelh Mynyd Agned* ¶, importing in the language of the ancient Britons, 'the Fortress of the Hill of Agnes;' and the hill itself, *Mynyd Agned Cathre gonion*, i. e. 'the hill Agned nigh the Fortress.' From this it may be plainly inferred, either that Edinburgh Castle was built during the Christian æra; or, if previous to it, that its ancient name was resigned, and a new one adopted in honour of St Agnes. In an after age, the Castle was distinguished by the appellation of *Castrum Puellarum* **, because the daughters of the Pictish Kings and chiefs were educated and kept till their marriage in that place of strength, a necessary safeguard in such barbarous times, and the town obtained the name of *Edinburgh*. Various etymologies of the name have been given, some of them absurd, and most of them unsatisfactory. It is said to have derived its name from *Eth* ††, a king of the Picts; but that such a person ever existed, is uncertain. Others ‡‡ have attributed the name of *Edwin*, a Saxon Prince of Northumbria, who began his reign ||| A. D. 617, and over-ran great part of the Pictish territories; and others have derived its name from two Gaelic words, *Dun Edin* §§, signifying 'the face of a hill.' To which, or whether to any of these etymologies its name should be attributed, we will not determine:

* The province of Valentia comprehended the space lying within the wall of Hadrian on the south, erected between Newcastle and Carlisle, and that of Antoninus on the north, erected between Carriden on the Forth, precisely in the middle between Borrowstownness and Blackness Castle, and Dunglass on the river Clyde: Whitaker, v. 1. p. 55. and 63. Scott's Hist. of Scotland, p. 37. and 41. Horsely's Britannia Romana, p. 50. and 51. and p. 158. fig. 1. p. 176. fig. 1.

† Whitaker's Hist. of Manchester, vol. 1. p. 63. vol. 2. p. 54.

‡ Boetius, lib. 1. fol. 12. || Forduni Scoti-chronicon, lib. 2. cap. 4.

§ Hume's Hist. of England, vol, 2. p. 293. Robertson's Hist. of Scotland, v. i. p. 4.

¶ Boetius, lib. 1. t. 12. Leslie de reb. gest Scot. lib. 2. t. 84. Whitaker, vol. 2. p. 54.

** Fordun, lib. 5. c. 26. Boetius, lib. 1. F. 12. †† Boetius, ut supra

‡‡ Maitland, lib. 1. p. 6. ||| Whitaker, v. 2. p. 83. and 9

§§ Buchanani Hist. Scot. lib. 6. § 2.

But it appears evident that Edinburgh Castle cannot boast an origin from much more remote antiquity, as the celebrated Arthur * King of the Britons fought a battle on its present site in the end of the fifth century.

The first historical fact which is preserved concerning this Nov. 16. Fortress is, that Queen Margaret †, the widow of 1093. Malcolm Canmore, died in the Castle, a few days after her husband was slain: That Donald Bane, uncle to Malcolm's children, having usurped the throne, besieged the Castle, in which the heir to the crown resided. The Usurper presuming, ‡ from the steepness of the rock, that Malcolm's children could escape only at the gates, ordered them alone to be guarded. But those in the garrison knowing this, conveyed the body of the Queen through the postern gate on the west side of the Castle, to the Church of Dunfermline, where it lies interred: And the children escaped to England, where they were protected and educated by their uncle Edgar Atheling.

But the first distinct traces that are to be found concerning the City of Edinburgh, are contained in a charter ‖ granted by David I. in 1128. in favour of certain canons regular, for whom he founded the Abbey of Holyroodhouse. From this charter it appears, that, previous to its date, Edinburgh had been erected into a royal borough, as it is there styled, *Burgomeo de Edwinesburg*. It appears further, that Edinburgh had by this time, been a place of some consideration, as forty shillings yearly were payable to this church out of the revenues arising to the King from his borough of Edinburgh; and forty-eight shillings more out of the same, upon failure of certain duties payable to it, from the King's revenues, arising from the duties on shipping at the town of Perth: As also, from the grant therein made to them, of "one half of the tal-"low, lard, and hides of the beasts killed in Edinburgh." By the extensive grants in this charter to the canons of this abbey, they got liberty to erect a borough § between the church of Holyroodhouse and the town of Edinburgh; and a jurisdiction was granted them, with powers of trial *by duel, and by fire and water ordeal.* It also appears that the parish church of St Cuthbert's had, previous to this, been erected, with considerable endowments; particularly, the tithes of several fisheries; that there were two chapels belonging to this church, viz. those of Corstorphin and Libbertoun; and that this chapel of Libbertoun had been instituted before the usurpation of

* Whitaker, v. 2. p. 54. and 58. † Fordun, lib, 5. c. 26.

‡ Dalrymple's Annals, p. 25. ‖ City Cartulary of Edinburgh, vol. 4. box 6. bundle 1. No. 1.

§ Maitland, in lib. 2, p. 146. has mistaken the barbarous phrase in this charter, *Herbergare* quoddam burgum, for the proper name of the *Canongate*; but, in the uncouth phraseology of the times, it signified 'to *inhabit* a certain borough;' Dalrymple's annals, p. 97.

Macbeth whose donations in its favour are confirmed in this charter.

1174. At this time Edinburgh Castle was surrendered to the English, on an occasion the most disgraceful that occurs in Scottish annals. King William I. known by the appellation of William the Lion, having in vain solicited * from Henry II. of England, restitution of part of Northumberland, which was with-held from him, made hostile incursions into the English territories, and was taken prisoner in the neighbourhood of Alnwick †. The Scots, impatient at the captivity of the King, purchased his freedom, by surrendering the independency ‡ of the nation ||. Many hostages, and some of the chief garrisons in Scotland, and among these the Castle of Edinburgh, were delivered as pledges for the performance of this dishonourable treaty. But, upon William's marriage with Ermengarde, cousin to King Henry, Edinburgh Castle was restored and given in Dower to the Queen.

In the reign of Alexander II. § the Son and successor of William, Edinburgh was distinguished, by the Parliament ha-
1215. ving, for the first time, been held in this city; and also, by a Provincial Synod ¶ having been held in it by Cardinal l'Aleran, legate from Pope Gregory IX. His Son, A-
1239. lexander III. was betrothed ** to the daughter of Henry III. of England: and the young Queen had Edinburgh Castle appointed for his residence. But she was by no
1255. means satisfied with her lot. She complained that 'she was confined to the Castle of Edinburgh, a sad 'and solitary place, without verdure; and that she was ex-'cluded from all conjugal intercourse with her husband, who 'had by this time, completed his fourteenth year.'

Upon the death of the Maid †† of Norway, grandchild to
1290. Alexander III. the contested succession to the crown, by Bruce and Balliol, opened to Edward I. an opportunity of advancing his claim to the superiority of Scotland. A claim founded on injustice, and prosecuted with cruelty, and which involved Scotland in calamities still felt, by the obscurity thrown upon its annals by the barbarous ravages and malicious policy of Edward. In the course of his wars, which terminated in the submission of Scotland ‡‡, Edin-

* Dalrymple's annals, p. 113. † Ibid. p. 114. Fordun, lib. 8. c. 22.
‡ Dalrymple's annals, p. 117, and 130; Fordun, lib. 8. c. 24; Leland's Collectanea, lib. 2. p. 533.
|| King Richard I. restored Scotland to its independency Anno Dom. 1186. for 10,000 merks Sterling; Dalrymple's annals, p. 131, 133.
§ Fordun, lib. 9. c. 27. ¶ Dalrymple's annals, p. 155.
** Dalrymple's annals, p. 163. and 166. †† Dalrymple's annals, p. 195. and 199; Hume's history, vol. 2. p. 254. ‡‡ Dalrymple's annals, p. 240: Hume's history, vol. 2. p. 292.

1296. burgh Castle was besieged and taken. It remained in
1313. possession of the English for twenty years, and was then recovered by Sir Thomas Randolph, * Earl of Moray, afterwards Governor of Scotland in the minority of David II. King Robert ordered Edinburgh Castle to be demolished; and he did the same to the other fortresses which he recovered from the English, lest they should again become receptacles for their protection, upon their future incursions into this country.

In supporting Edward Balliol's pretensions to the crown, and of his own to the superiority of Scotland, Edward III. invaded the kingdom with a powerful fleet and army. The fleet sailed up the Forth, and the towns on both sides of the river were plundered † and burnt. The Scots did not venture to oppose the formidable host of Edward, but prudently withdrew
1335. with their goods and cattle to their inaccessible mountains. After a campaign, attended neither with glory nor advantage to Edward, but productive of much distress to the Scots, he retreated ‡ to England. He was no sooner gone than the Scots renewed their insurrections against the delegated monarch, imposed upon them by a foreign power. Edward returned with a great army, and went to Perth, where he expected the assistance || of the Earl of Athol. While he there lay encamped, Guy Count of Namure, (called erroneously by
1336. the Scottish writers, Duke of Guelders), came with a large body of foreigners to the assistance of Edward. He proposed passing through Edinburgh, in his intended route to Perth. But the Earl of Moray, the Governor, encountered his forces on the Borough-muir, in the neighbourhood of that city. The conflict was sharp, and the Scots army well nigh overpowered, when a reinforcement, collected by William de Douglas, came to its assistance. The Count of Namure's forces gave way. They retreated to Edinburgh in order of battle, fighting gallantly, and hotly pressed by the Earl of Moray. Part of them were driven through the spot where Bristo Port now stands, and, flying down the street presently known by the name of Candlemaker Row, made the best of their way to the rock, § where the castle then lay in ruins. The rest fled through St Mary's Wynd. They were encountered in that narrow lane by Sir David de Anand, a gallant Scottish knight, and suffered great slaughter. Those who escaped joined their companions on the rocks of the castle. They killed their horses, and, with their carcases, piled up a sort of rampart, to defend

* Fordun, lib. 12. c. 19 † Fordun, lib. 13. c. 34. Holinshed's History of Scotland, p. 235. ‡ Hume's history, vol. 2. p. 401. || Fordun, lib. 13. c. 35; Holinshed's History of Scotland, p. 235. Leland's Collectanea, vol. 2. p. 555. § Leland's Collectanea, vol. 2. p. 555. Fordun, lib. 13. c. 35. Holinshed's History of Scotland, p. 236.

them from the attacks of the Scots army, who there, as it were, besieged them. But being destitute of provisions and lodging, as well as exhausted with the fatigues of battle, on the next morning they surrendered, requiring no other stipulation, than that they should not be put to the sword. The Earl of Moray allowed them to depart, exacting their promise that they should never more bear weapon against David Bruce. And with a courtesy which reflects on the Earl still more honour than his conduct in the field, he not only permitted the Count of Namure to depart with his effects, but accompanied him to the borders in person, and resolved to see him safe out of the Scottish territories. The Governor, * however, was but indifferently rewarded for his complaisance; for, on the borders, after parting with the Count of Namure, he fell into an ambush laid by the English, and was carried prisoner to Edward.

Upon his return from Perth, Edward visited Edinburgh in his way to England. He rebuilt the Castle, † and put a strong garrison in it. However, it remained but a short time in possession of the English; for it was recovered by stratagem, by
1341. four gentlemen, among whom was William de Douglas, the same who had contributed to the victory obtained by the Scots in the Borough-muir. One of them feigned himself to be an English merchant; he went to the Governor of the Castle, ‡ and told him that he had got a cargo of wine, strong beer, and biscuit, *exquisitely spiced*, in his vessel just arrived in the Forth; which provisions he wished the Governor should buy from him. He produced, as a specimen, a bottle of the wine, and another of the beer. The Governor relished the liquors, they agreed about the price, and this pretended merchant was to deliver the provisions next morning early, that he might not be intercepted by the Scots. He came accordingly at the time appointed, attended by a dozen of armed followers, disguised in the habit of sailors, and the
April 17. gates were open for their reception. Upon entering the Castle, they contrived to overturn the carriages upon which the provisions were supposed to be heaped, and instantly killed the porter and sentries. Upon the sound of a horn, the appointed signal, Douglas, with a band of armed men, sprung from their concealments, in the neighbourhood, and rushed into the Castle; where having joined their companions, the garrison, after a sharp conflict, were mostly put to the sword, and the fortress recovered by the Scots. About this time also, the English were entirely driven out of Scotland.

* Vide ut supra. † Leland's Collect. v. 2. p. 555. ‡ Fordun lib. 13. c. 47; Bœtius, p. 334; Holinshed's Hist. of Scot. p. 239.

The hostile incursions of the English being suspended,
1329. Edinburgh grew into more consideration. King Robert I. had already bestowed on the burgesses,
May 28. his borough of Edinburgh *, with the harbour and Milns of Leith. His great grandson, John Earl of Carrick, who afterwards, when he mounted the throne †, assumed the name of *Robert* III. from a superstitious notion, that the name of *John* was unfortunate to monarchs, conferred on the whole burgesses of Edinburgh, the singular privilege of building houses ‡ to themselves within the Castle, and of free
1335. access to the same, without being subject to fees to the constable, under no other limitation, than that they
July 4. should be persons of good fame. No reason whatever, inductive for the grant is assigned. The Kings‖ of Scotland had their usual residence in Edinburgh; parliaments were frequently held in it; and, being considered as the
1437 capital of the kingdom, the infamous traitors who murdered King James I. § at Perth, were brought to Edinburgh, where they suffered the just and terrible punishment of their treason.

James II. his son and successor, *was crowned at the palace of Holyroodhouse.* Being but seven years of age, Sir Thomas Livingstone was appointed Regent, and the custody of the royal person entrusted to Sir William Crichton, the Chancellor. A quarrel happening between those great officers, the King was kept a sort of prisoner in Edinburgh Castle, the place allotted for his residence. But the Queen Dowager, who favoured the Regent's party, resolved to add lustre to his
1438. cause, by possession of the royal person. She paid a visit to her son, affected to show great respect to the

* Inventory to the City Cartulary, v. 1. p. 1. † Scott's Hist. p. 218.
‡ Inventory to the city cart. v. 1. p. 12.
‖ Scott's Hist. p. 210. 220. Acts of Scottish Parliament, A. D. 1436, 1437.
§ Boetius, f. 367. Drummond's Hist. of the James's, p. 17. A circumstance concerning this murder deserves to be noticed. It happened in the Abbey of Dominicans in a bed-chamber off a gallery. The traitors having got into the gallery, and their plot being discovered, a Lady missing the *bar of the bed-chamber door, supplied its place, by thrusting her arm into the vacancy which should have received the bar.* Shall we infer from this, that the arts in this country were then so rude, that locks and iron bolts were not known; and that no other method was then used for securing the inner apartments of the principal houses in the kingdom, than by large wooden bars, such as are used in barns at this day? We apprehend we hardly can: for it is incredible, that a people professing their knowledge in the art of masonry, and many others, particularly that of making weapons of attack and defence, and of cutting seals with much art, could be ignorant of the method of making locks. Besides, King James III. in a charter only 40 years after that, (3d October, 1477) expressly mentions *Cutler's and Lockmakers.* Scott's Hist. p. 233. Drummond's Hist. p. 15. Scott's Hist. p. 235.

The seal appended to the above mentioned charter, granted by John Earl of Carrick, would, we apprehend, do honour to a modern artist.

Chancellor, declared an intention not to interfere in matters of state, and that the sole purpose of her visit was to indulge maternal affection towards her son, and to season his mind with wholesome and pious advices. The unsuspecting Chancellor believed her; she pretended to undertake a pilgrimage to a church in East Lothian; and having obtained leave to carry out her effects, the young King, who had consented to her plot, was carried out of the Castle in a trunk, early in a morning, when his attendants supposed him asleep. He was put on board a ship in Leith harbour, and that same night reached Stirling, where the Queen and the Regent rejoiced over the Chancellor's credulity, and the success of their contrivance.

They did not long enjoy the fruits of their ingenuity; for the Chancellor recovered possession of the King by stratagem. He knew that the King hunted very frequently in the woods
1439. near Stirling; he collected a body of men, when the Regent was at a distance, and, with his followers, placed himself * in these woods in ambush. The King enjoying the chase, fell into the snare, and was with much courtesy conducted by the Chancellor to Edinburgh Castle. Thither the Regent followed him; they held a conference in St Giles's
1440. church, and were induced to a reconciliation, by their dread of the Earl of Douglas, whose exorbitant power was employed in exerting and encouraging the most outrageous oppression over the country. The executive power of the state was unable to inflict upon the Earl the punishment due to his crimes. The Chancellor, with the most insinuating semblance of respect and friendship, decoyed him into the castle, where the Regent had also come to divide the guilt and odium of the murder they meaned to perpetrate. Lord Douglas was treated with such distinguishing marks of honour as courtiers pay to those whom they have devoted to destruction. As he sat at table with the King †, towards the end of the banquet, a bull's head was set before him. He understood
Nov. 24. the fatal symbol, and sprung from the table; but he, and his brother who was with him, were instantly seized by armed men, and, notwithstanding the tears and entreaties of the young King, they were dragged to the outer court of the castle, and there murdered ‡.

* Scott's Hist. p. 237. Drummond's Hist. p. 21. † Holinshed's Hist. of Scot. p. 270. Scott's Hist. p. 240. Drummond's Hist. p. 23.

‡ In the year 1753, some workmen digging for a foundation to a new storehouse within the castle, found some golden handles and plates for a coffin, which are supposed to have belonged to the coffin in which the Earl of Douglas was interred.

1461. The conduct of the city of Edinburgh towards Henry VI. the unfortunate and exiled King of England, at this time received the most ample testimonial for humani-
1463. ty and politeness; namely, a grant by King Henry,
Jan. 2. setting forth the humane, and honourable treatment he had received from the Provost, Ministers, and Burgesses of Edinburgh, during his long residence there, after having * been expelled from England by his rebellious subjects; and therefore granting to the citizens of Edinburgh liberty to trade in all his ports of England, subject to no other duties than those payable by his citizens of London. This testimonial, however, was more honourable than advantageous; for, as Henry never regained the throne, the grant was never confirmed.

Their behaviour to their own sovereign was no less meritorious. The weak councils and suspicious temper of James III. his passion for favourites, and the turbulence of his nobles,
1476. involved the nation in tumults and bloodshed. The King's youngest brother, John, fell a victim to his suspicion. The Duke of Albany escaped his brother's † fate by timely flight. He afterwards returned in a hostile manner, accompanying the Duke of Gloucester, afterwards Richard III. who led a powerful army into Scotland. Gloucester encamp-
1482. ed his army at Restalrig. He advanced to Edinburgh, and required King James, who was confined in the Castle by his own subjects, to perform his stipulations to England. At the Duke of Albany's request he spared the citizens from being pillaged; and his approach to Edinburgh resembled a triumphal entry rather than a hostile invasion. Peace being established, the Duke of Gloucester returned to London; and a contract of marriage having been agreed upon between a daughter of Edward IV. of England, and the Duke of Rothsay, afterwards James IV. the citizens of Edinburgh became bound to repay to Edward the dowry he gave in contemplation of the marriage. And, as the marriage ‡ failed, the citizens fulfilled their obligation by paying the money punctually. The Duke of Albany having returned to his allegiance, and being urged by the eager solicitations of James's Queen, resolved to effectuate his delivery from Edinburgh Castle, || where he had been nine months confined. The citizens, who had uniformly adhered to the royal cause, se-
1482. conded his attempt. The Castle was surprised, and the king released. He was not unmindful of the obligation; for he executed an ample § grant in favour of the

* Council Reg. v. 37. p. 323. † Drummond's Hist. p. 50. Scott's Hist. p. 273, 276. ‡ Drummond's Hist. p. 51. Baker's Chronicle, p. 216.
|| Ibid. p. 52. Scott's Hist. p. 277. § Inventory to the City Cart. v. 1. p. 33.

provost, council, and community of Edinburgh, setting forth the services they had done him, and therefore granting to the
Nov. 14. provost the office of hereditary sheriff within the city, with ample jurisdiction, and all the fines and escheats arising from the office. He also granted to the council powers to make statutes and bye-laws for the good government of the borough, an exemption from certain duties, and a right to exact custom upon several species of merchandise at the port of Leith. The only *reddendum* prestable by the council for those ample privileges, was the annual celebration of a funeral mass in St Giles's church for the king's soul, and those of his progenitors and successors.

The citizens of Edinburgh suffered their share in the calamity in which the unfortunate expedition against the English, undertaken by James IV. involved all Scotland. They la-
1513. boured * at once under the great scourges of mankind, war and pestilence. The king, from a romantic notion of honour, resolved to make an hostile invasion upon England; nor could the tears and entreaties of his queen and his people prevent him from rushing to destruction. He assembled his army in the Burough-muir. The Earl of Angus, provost, and all the magistrates, with a number of citizens, joined the army. They appointed *George of Tours* to officiate for the
Aug. 19. provost, and four other persons to discharge the office of bailies, till their return; giving them "full "jurisdiction, in their absence, to do justice, make statutes "needful for the common weal, and punish trespasses:" And ordering them "to make an sufficient watch for keeping of "the town, by the persons that happen to remain at home, "*the quarter of them ilk night.*" The army marched on or after the 19th of August 1513; they entered † England on the 22d; and the news of their fatal overthrow, in the field of Flowden, reached Edinburgh on the day after the battle, and overwhelmed the inhabitants with grief and confusion.
Sept. 10. The streets were crowded with women, seeking intelligence about their friends, clamouring and weeping. Those who officiated in absence of the magistrates, proved themselves worthy of the trust. They issued a proclamation, ordering all the inhabitants to assemble in military array for defence of the city, on the tolling of the bell; and commanding, 'that all women and especially vagabonds, do repair to their work, and be not seen upon the street *clamouring and crying;* and that women of the better sort do repair to the church, and offer up their prayers at the stated hours, for our sovereign Lord, and his army, and the townsmen who are

* Council Register, v. i. p. 4. † Ibid. v. i. p. 45. Drummond's Hist, p. 74. Scott's Hist. p. 304, 308. Sir David Dalrymple's Remarks, p. 150.

with the army.' The council ordained a guard, consisting of
1514. twenty-four men, to be levied for the defence of the city; * and L.500 Scots to be raised, and applied to fortifying the town, and purchasing artillery to resist the enemy. A peace with England freed the † inhabitants of Edinburgh from their apprehensions of the city's being attacked; but the plague still continued to rage ‡ with violence, and the magistrates found it necessary to order several houses, where infected persons dwelt, to be pulled down.

During the minority of James V. the nobles were extremely turbulent, and none more so than the Earls of Angus and Arran. Their unruly behaviour induced the Duke of Albany, Regent, to pronounce an edict, || prohibiting any of the name
Feb. 20. of Douglas, or Hamilton, to be chosen Provost of
1519. Edinburgh. Notwithstanding this order, and the sentiments of the citizens themselves, which were averse to the Earl of Arran, that Lord thought proper to interfere in the election of Provost. The citizens shut their
1520. gates against him; a scuffle ensued; one § of the deacons was killed by the Hamilton party, and the minds of the inhabitants totally alienated from the Earl of Arran. A dispute having, about the same time, arisen between the Earl of Rothes and Lord Lindsay, they attacked each other with tumultuary arms, on the High Street of Edinburgh; nor could they be separated, till they were both made prisoners, the one committed to the castle of Dunbar, and the other to that of Dumbarton.

The national animosities between the Scots and English kindling frequently into action, the council ¶ voluntarily offered to furnish the king with three hundred men at arms,
'against his *ancient enemies of England*, when his
Sept. 19. 'Grace should require them.' But the æra now ap-
1532. proached, when religious zeal extinguished the dutiful, yet spirited behaviour of Edinburgh, and when motives, far distant from loyalty, called forth its citizens to arms, we mean that of the Reformation, an event in itself so remarkable and important, and attended with such material consequences to the city of Edinburgh, that a short inquiry into the causes of its rise and progress, will not, we hope, be considered as impertinent.

The sentiments of devotion are deeply impressed on the mind of man. He is incited by love, gratitude, and awe, to the exercise of an affection so pleasant in itself, and which

* Council Register, p. 5. † Hume's History, v. 3. p. 467.
‡ Council Register, v. i. p. 12. || Council Reg. vol. i. Feb. 20, 1519.
§ Drummond's History, p. 88. Scott's History, p. 320. ¶ Council Reg. vol. i. p. 89.

tends so strongly to improve the heart. But, from his limited capacity, and the frailty of his nature, he forms various, and frequently very gross notions of the object to which all adoration should be paid. He plainly traces the finger of the Deity in the works of creation; but the capacity of man cannot, by the contemplation of material and spiritual objects, form adequate or distinct notions of the divine nature and attributes. From the uniform operations of nature being constantly before him, the objects become familiar. And his perception of the Deity is diminished, by his imputing the effects which he daily sees to those secondary causes which the wisdom of God has thought proper to make the uniform means of producing natural events. Hence revelation became necessary, both to extend his ideas of the Divine nature, and to give him a firm principle of unbelief. But even revelation itself is liable to be misinterpreted and corrupted; the pure stream is polluted by the foul channel through which it flows. The nature of certain doctrines in Scripture being beyond the reach of human comprehension, the extreme ignorance of mankind in the early ages of Christianity, the supposed sanctity of the clergy, who possessed the only learning of the times, and the exuberant confidence which mankind reposed in them, were the means of introducing a multitude of errors and corruptions into the church; so that Christianity, as then professed, instead of being a pure, rational, and divine system of religion, was a complication of doctrines equally absurd in their foundation, and pernicious in their consequences.—But gross as the state of religion then was, and however much reformation might be needed, we cannot concur in opinion with those who have supposed, that a sense of these absurdities, either suggested the notion, or even did much to assist the progress of reformation. We have not discovered that reason has at any time been able to dispel from the multitude those absurdities which the superstitions of different ages and countries may have instilled into them. Besides, philosophy had not by this time, nor till long after, made any considerable progress; nor were the ideas of men enlightened or enlarged. Many notions * and articles of belief remained with them, fully as absurd as those which they rejected. And farther, the rapid progress of reformation shows evidently that its success was not owing to reason or reflection. We may admire, then, the wisdom of Providence, which so disposes of human ac-

* Their belief in witchcraft, their conceit of being frequently actuated by the immediate inspiration of the Deity, their Judaical observation of the Sabbath, and their extreme abhorrence at innocent amusements, displayed in the writings of Rutherford, Durham, and others, their most eminent and popular divines, fully justify this observation.

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tions, as to make the passions and interests of men, leading them to indifferent, and sometimes to criminal pursuits, productive of the most happy events.

The first idea of Reformation seems to have originated from the resentment of Luther, as the affront cast upon the order to which he belonged, by an advantageous species of religious traffic being transferred from the Austin to the Dominican friars. In the course of his disputations against the sale of indulgencies, his knowledge in the Scripture became more extensive, his ideas more enlarged; and he had the honour of being the first who planned the destruction of the Romish hierarchy, and of freeing the minds of men from that ignorance in which they had been so long enslaved. Among the causes of the rapid progress of reformation, may be reckoned the flattering vanity of mankind, by appealing to their judgements to detect falsehood; the indulging it still farther, by permitting the laity to read the Scriptures, formerly held too sacred for their perusal; the reputation which the first reformers acquired, from the austerity of their lives so opposite to the licentious manners of the popish clergy; and the indignation which would naturally arise in the people against those licentious drones, for having artfully possessed themselves of so much wealth, which enabled them to live in indolence and debauchery; the detection of those pious cheats by which the priests imposed upon the people; the invention of printing, which was attended with the peculiar felicity both of exciting and gratifying an universal thirst for knowledge; the intolerant spirit of reformation, representing popery as impious and damnable; the reformers directing their harangues more to the passions than the judgment; and inflaming those passions against sensible and material objects, such as images, crucifixes, and garments; for, the same material objects which formerly promoted adoration, now excited abhorrence; and the stream of popular ideas being diverted into an opposite channel, swelled into a torrent, that swept away the mighty fabric, which had been reared by the labour and superstition of many ages. To these may be added, the causes which assisted reformation peculiar to this country. As the church and state mutually supported each other, so the reformation favoured the turbulence of the nobles, by humbling the royal cause; and it flattered the vanity of the mob, by levelling the crown and the mitre, and by the preachers dwelling, in their harangues, upon the just but popular topic, 'that the prince and the peasant will be equally accepted at the throne of grace; the ill-judged severity of government against the leaders of the reformation, with the courage and constancy which they displayed under their sufferings; the imprudent conduct of

Queen Mary; the stern temper, yet licentious behaviour of Cardinal Beaton; the ambition of the Earl of Murray, which promised him the regency of Scotland, under a long minority, perhaps suggested to him still more aspiring objects; but above all, the nobles, devouring in prospect, and afterwards in reality, the ample revenues of the church.

A war with England was the first fruits of the struggle between the catholic and reformed religions. By the death of James V. the sceptre having dropped into an infant hand, Henry VIII. proposed, by a marriage between his son Edward and the young Queen, on terms unequal and dishonourable to * the Scots, to acquire the dominion of their country. His designs were favoured by those who wished for an alliance with a Prince disposed to afford such powerful protection to the reformed religion; and the treaty was agreed on. But Cardinal Beaton, who, in this alliance, foresaw the destruction of his religion, found means to disappoint it; and, when the English ambassador required, upon the day appointed, the delivery of hostages † for performance of the treaty, he discovered, from the Regent's evasions, his design that it should never be accomplished. The boisterous spirit of Henry was not likely to brook a disappointment which insulted his pride, while it mortified his ambition. A fleet of two hundred sail, with a powerful army on board, entered the Forth ‡, to take vengeance on his enemies. The English army landed near Roystun, and, in their way to Leith, were opposed by a small body of Scots, whom they speedily put to flight; after which they took possession of Leith. On the second day thereafter they marched for Edinburgh. On their approach to the city they were met by the provost, who offered, in the name of the citizens, to evacuate the town, and to deliver the keys to the commander of the English forces, provided they might have liberty to carry their effects along with them, and that the city should be saved from fire. The English general rejected theterms and required from the citizens an absolute unconditional submission of their lives and properties ‖; the provost replying, '*It were better the city should stand on its defence*,' was commanded to retire. The Netherbow port was assaulted, and beat open; a number of the inhabitants were killed; the English proceeded with their heavy artillery against the Castle, from which they suffered so smart and well directed a fire as obliged them to desist from their attack. Being baffled in their attempts upon the Castle, they wrecked their vengeance upon

1542.

1543.

May 4. 1544.

* Robertson's Hist. v. i. p. 99. † Hume's Hist. v. iv. p. 253.
‡ Holinshed's History of England, p. 1592. ‖ Holinshed's History of England, p. 1592, et seq.

the city with double fury, and a devastation almost incredible commenced. They set it on fire in so many places that the smoke obliged them to quit the town: They returned, however, and, for three successive days, exerted their utmost efforts towards its total destruction. For seven miles round Edinburgh the country was laid waste; the palace of Holyrood-house, the Castles of Craigmillar and Roslin, and the Pier of Leith, which was then entirely of wood, were burnt: Hardly a house or village within that space escaped the flames. While the army wrecked their fury by land, the fleet was not idle, but scouring the Forth; almost every village from Fifeness to Stirling was plundered and burnt. At last, satiated with cruelty and rapine, they retired, carrying along with them not only the spoil which they got by land, but also all the ships and vessels in the Frith. Edinburgh and Leith, however, so speedily recovered from this calamity, that the town of Leith afforded the English, after the battle of Pinkey, an opportunity of plundering and burning it again*, as well as the ships in the harbour; but the Duke of Somerset, the Lord Protector, who commanded the English army in person, had the humanity to spare Edinburgh, after that important victory, which threatened the subjection of Scotland.

1547. Sept. 17.

The doctrines of reformation had hitherto made little progress in Scotland; they began to be more widely diffused by the zealous and able ministry of John Knox. This celebrated reformer came to Edinburgh in the year 1555, where he preached in private to such as favoured the reformation †. He declaimed with vehemence against all temporising, and expatiated upon the impiety of even being present at mass. The hand of power obliged him to fly the kingdom; but it could not stop the growth of those doctrines which he propagated; the effects of them were manifested by the abhorrence which began to be entertained against that *idol, the mass.* Those who imagined themselves possessed of wit or learning, employed their pens in ridicule of popery: And the mob ‡, with sticks and stones, weapons more suitable to them, demolished the images in St Giles's church, to the no slight offence of the Queen-regent. The people continued to display so strong an aversion at popish ceremonies, as prognosticated the downfal of that superstition; for, with the superstitious rabble, ceremonies are, perhaps, the most essential part of religion. On the approach of the feast of St Giles, the tutelary saint of Edinburgh, certain pious reformers, to avoid that profanation, idolatry, stole the image of

1555.

1556.

* Holinshed's History of England, p. 1630. † Knox's Hist. of the Reformation, p. 90. et Seq. ‡ Council Reg. vol. 2. p. 83.

St Giles, which they threw into the North Loch, the unhallowed place where those convicted of adultery and fornication were plunged, as a punishment for their sins. There was great confusion among the priests when, upon their going to decorate the image for the procession annually held at that festival, they discovered it to be stolen. The murmurs ran from the Friars to the Bishops, and from the Bishops to the Queen. To supply its place, a small image was borrowed from the Gray-friars, which the mob in derision called *Young St Giles* * ; and, as a tumult was dreaded, the Queen-regent graced the solemnity with her presence, to over-awe the rabble. The procession was conducted peaceably till towards the end, when the Queen retiring to dinner, the mob demolished the image, and scattered the procession. Then, according to Knox, 'Dagon was left 'without head or hands; down goes the cross; off go the sur-'plices, round caps, and cornets with the crowns. The 'Gray-friars gaped; the Black-friars blew; the priests panted 'and fled; and happy was he that got first to the house; for 'such a sudden fray came never among the generation of An-'tichrist within this realm before.'

1558. Sept. 1.

The proselytes to the reformed doctrines increasing, they distinguished themselves by the name of THE CONGREGATION †. They bound themselves to the mutual defence and support of each other, in propagating their religious tenets. And it seems to have been their leading principle or *passion*, to exert the utmost efforts of their fury against those objects which had hitherto been set apart for the purposes of religious worship. The magistrates of Edinburgh, however, endeavoured to check this furious spirit, both among the citizens and strangers ‡. They paid becoming attention to the letter sent them by the Queen-regent, on the demolition of the religious houses at Perth, requesting them to keep the peace. Upon the Lords of the Congregation approaching to Edinburgh, the council sent deputies to them, entreating them to spare their churches and religious houses, the Protestant worship be exercised in the former, and the latter to be converted into reformed seminaries. They also ordered all the gates of the city to be shut, except those of the Netherbow and Westport, which were strongly guarded. And upon the Queen-regent's ‖ entering Edinburgh, it was agreed between her and the Lords of the Congregation, that each party should exercise unmolested § their separate religions, till the tenth of the ensuing month of January.

July 24.

1559. The Queen-regent having introduced some French

* Knox's Hist. p. 95.

† Spottiswood's History of the Church, p. 119. et Seq. Scott's Hist. p. 374.

‡ Council Reg. v. 3. p. 14. et 17. ‖ Knox's Hist. p. 153.

§ Dr Robertson, in his account of this treaty, has not observed his usual

troops, into Leith, expelled several inhabitants, in order to accommodate the troops, and began to fortify the town; she was held by the Lords of the Congregation to have thereby infringed the late treaty. They requested her to desist from carrying on the fortifications, and, upon finding their entreaties ineffectual, marched to Edinburgh. They assembled in the Tolbooth, where *, after the opinion of Knox and Willox, their preachers, being required and delivered, concerning the obedience due to sovereigns tyrannically exerting their power, they ventured, with the unanimous concurrence of all present, to *suspend* the Queen-dowager from the regency. On the next day they formally required the town of Leith to surrender; but no regard being paid to their summons, they attacked the fortifications, the town-council of Edinburgh having furnished two thousand merks towards promoting the enterprize. The mode of their attack was by scalade; the besiegers were repulsed, chiefly owing to the shortness of the scaling-ladders; and the preachers failed not to impute the miscarriage to the guilt the people had incurred, by their impiety in having those ladders prepared in St Giles's church. The Lords of the Congregation, by treaty with Elizabeth, called in to their aid a body of English forces †. The council of Edinburgh assisted them with a month's pay for four hundred men; after various assaults and skirmishes, unworthy of particular detail, the French troops were compelled to Surrender the fortifications of Leith, and to abandon the kingdom. And the Lords of the privy-council ordered the magistrates of Edinburgh to demolish these fortifications, that they might not afterwards be a receptacle for harbouring the enemies and invaders of Scotland ‡.

Oct. 23.

July 8. 1560.

By the death of the Queen Regent, and the expulsion of the

accuracy, The greatness of the authority renders the more dangerous the mistake of so able a pen. His words are, 'On the other hand, the Queen 'agreed to give no molestation to the preachers or professors of the protes-'tant religion: *to allow no other form of worship in Edinburgh but the reformed;* and to permit the free and public exercise of it all over the kingdom. The treaty is preserved both in Knox and Spottiswood; from the words of it the reader will judge which account is fair, Dr Robertson's or the Author's. The words are, 'Item the town of Edinburgh, shall, without compulsion, use 'and chuse what religion and manner thereof they please, to the said day: 'so that every man may have freedom to use his own conscience to the day 'foresaid. Item, the Queen's Grace shall not interpone her authority to mo-'lest or trouble the preachers of the Congregation, nor their ministry, *(to 'them that please to use the same)* to the said tenth day of January within-'written; and that every man in particular live, in the mean time, accord-'ing to his own conscience.' Robertson's Hist. v. 1. p. 189. Knox's Hist. p. 153. Spottiswood's Hist. p. 128.

* Knox's History, from p. 169. to p. 188. Spottiswood's History, p. 157, and 138. Council Register, v. 3. p. 27.

† Knox's History, p. 217. and 334. Council Register, v. 3. p. 33.

‡ Council Reg. v. 3. p. 40.

French troops, the Lords of the Congregation were left masters of the kingdom. In the treaty between these Lords, and Ambassadors from Francis and Mary, by which they had agreed that the French should evacuate Scotland, it was stipulated, that a parliament should be held in the month of August thereafter, and that the same should be deemed as lawful in all respects, as if it were ordained by the express commandment of their majesties. Pursuant to this article, a parliament was assembled at Edinburgh; all the members who favoured the doctrines of reformation attended, as well as several prelates and lords, who still adhered to the Catholic religion. Objections were * started to the legality of the meeting, on account of no commissioner appearing to represent the sovereign; but they were over-ruled, and the parliament proceeded to abolish the papal jurisdiction, to rescind the whole acts made in favour of popery, to establish the Confession of Faith, and to impose the same penalties on the professors of the old religion, which, when inflicted upon themselves, they complained of as grievous persecution, although, in the eye of human law, they were then no more than a set of innovating sectaries. Francis and Mary received intelligence of these proceedings, with that indignation which might naturally have been expected. Far from ratifying them, they spurned the messenger who brought these resolutions; resolutions which they deemed the Convention to have dictated in contempt of the authority, and in contradiction to the precepts of their earthly and heavenly sovereigns.

A practice had crept in of observing the Lord's day in a manner very different from that warranted in scripture, or by the example of the earlier ages of Christianity. The duties of religion were neglected: Sports and recreations, which, when exercised in a moderate degree, are not unsuitable to the nature of *the seventh day*, were indulged in a latitude subversive of that holy institution. Nay, Sunday was then made a principal day for business; and, on that, fairs and markets were regularly held †. An act of the legislature under James IV. had in vain been established for correcting this abuse. The council of Edinburgh now enacted, that the public markets of the city should no longer be held on Sunday; and that no shops or taverns should be open, or goods sold *during divine service*.

The first reformers seem to have entertained some whimsical ideas of analogy, between popery, or, as they termed it, idolatry and fornication, for both of which they entertained the utmost abhorrence. To repress iniquities which they deemed so odious, the magistrates of Edinburgh assumed to themselves

* Knox's History, p. 254. Spottiswood's History, p. 159.
† Act of Parliament, 1503. c. 83, 55, and 1579, c. 70. Council Reg. v. 3. p. 55.

both legislative and executive authority, and exerted, in the most absurd and tryannical manner, those powers which they had so illegally arrogated. They issued a proclamation, commanding all idolaters, (i. e. papists) fornicators, and adulterers, to depart from the town; but subjecting them, in the first place, to these penalties: 'The said idolaters to be defamed, by setting * them on the market cross, there to remain for the space of six hours, for the first fault; carrying off the said bro-'thelers, whoremasters, and harlots, through the town in a cart, 'for the first fault; burning of both the kinds of the said per-'sons in the cheek, for the second fault; and banishing the 'town; and for the third fault, to be punished *with death*.' In execution of this pious law, they ordered the deacon of the fleshers to be *carted* for adultery. The corporations † resented the indignity put upon their order; they assembled in a tumultuous manner, broke open the jail, and liberated the prisoner. The magistrates applied to the Lords of the privy-council for their assistance in punishing the rioters: A number of craftsmen were sent prisoners to the Castle. But the Deacons, upon professing their abhorrence at the late tumult, and making earnest and humble supplication, were acquitted of any concern in the riot, and obtained the release of their brethren.

1561. Queen Mary by no means relished this conjunction of persons in the proclamation, 'papists and whoremongers.' She had lately arrived in Scotland. The manner of her reception tended not to alleviate the grief she ‡ felt on leaving France. It was unsuitable to the elegance of her taste, and the splendour of the court where she had hitherto resided. If the manners of the people were deficient in elegance, they were more so in complaisance. They had the barbarity to grumble at their Sovereign's enjoying that liberty which should be possessed by all, the liberty of worshipping God according to her own heart. On the Sunday after her arrival, the mob raised a tumult at the palace, and could hardly be restrained from interrupting divine service, nay, even from hanging the priest: And the magistrates of Edinburgh politely renewed their edict, banishing idolaters‖ and whoremongers from the city within forty-eight hours from the date of the proclamation. The Queen sent a letter to the town-council, complaining of an edict so disgraceful and injurious to those of her religion. It produced an effect very different from what she intended. They again renewed the proclamation, with the additional severity of commanding §, under very high penalties, those persons to depart from the town within twenty-four hours. But the council was equally pu-

* Council Register, v. 3. p. 37.
† Council Register, v. 3. p. 60.
‡ Knox's Hist. p. 284. and 287. Robertson's Hist. v. i. p. 263. and 266.
‖ Council Reg. v. 3. p. 76.
§ Council Reg. v. 4. p. 15, and 16.

sillanimous and insolent; for, when the Queen, who was highly enraged at the contemptuous behaviour of the magistrates, sent an order to the council to deprive them of their offices, and elect others in their place, the council submissively obeyed her commands. The Queen at the same time, issued a proclamation, granting liberty to all good and faithful subjects to repair to, or remain in Edinburgh, at their pleasure, which gave occasion * to Knox to make this pleasant observation: 'And so murderers, adulterers, thieves, whores, drunkards, 'idolaters, and all malefactors, gets protection under the 'Queen's wings, under colour that they were of her religion. 'And so got the devil freedom again; whereas before, he 'durst not have been seen in day-light upon the common streets.'

1562. The people displayed the exuberance of their gloomy and disordered imagination, in the variety of punishments which they invented to repress popery and fornication. The iron road, already stretched forth to crush carnal impurities, was twisted into new shapes, and loaded with additional weight, to give it a smarter sting. To the punishments already mentioned, ducking in filthy and stagnant † pools, and confinement to a diet of bread and water, in the most dismal cells of a dungeon, were superadded; yet, with all their detestation of uncleanness, they seem not to have been ignorant of the maxim ‡, 'that all things are lawful to the saints.' And from their abhorrence || to popery, they cut out the figure of St Giles from the city-standard, in room of which they substituted a thistle. With tumult and reproach, they disturbed and insulted the capital, the palace, and the Queen.

We shall anticipate somewhat in point of chronological series, in order to dismiss an odious subject, which displays the legislature, or at least the town-council of Edinburgh, of gross-

1562. ser absurdity and iniquity, in punishment of vice, than the people could have been by its commission. The town-council, to fill up the measure of absurdity, enacted, that unless burgesses daughters § were, at their marriage, *reputed pure virgins*, their husbands should not enjoy the freedom of the city, to which, in virtue of such marriage they would otherwise have been entitled. And most of the punishments enacted by the council against ¶ fornication, popery, &c. received by gradual steps,

* Knox's Hist. p. 293. Spottiswood's Hist. p. 183.

† Council Register, v. 4. p. 26. and 47.

‡ The Earl of Arran enjoyed his mistress peaceably; but, when the Marquis de Elbeuf and the Earl of Bothwell, in a drunken frolic, paid her a visit, addresses were presented to the Queen, and tumults in the streets were headed by the protestant Lords, to repress the horrid impiety; Knox's Hist. p. 302. et seq.

|| Council Reg. v. 4. p. 34. Knox's Hist. p. 288, and 304, and 335. Spottiswood's Hist. p. 188.

§ Council Reg, v. 7. p. 9. ¶ Act of Parliament 567, c. 13. 1581, c. 106. 1592, c. 122. 1593, c. 168, 1594, c. 196, 1607, c. 1.

the sanction of the legislature. It were ridiculous to suppose, that such laws were made, such severities threatened, for speculation only. The Sovereign, indeed, endeavoured to stop the execution of the most sanguinary penalties: Yet we find, that the Archbishop of St Andrews was imprisoned in Edinburgh Castle, for saying and hearing mass*, and that he was afterwards hanged, (religion, indeed, was not assigned as the cause of his attainder;) that a popish priest, a man† of title and family, arrayed in his sacerdotal robes, on two consecutive days was pilloried at the cross of Edinburgh, and pelted with such severity by the rabble as to endanger his life; that several priests were punished by exile and otherways; and, notwithstanding the observation of a‡ late historian to the contrary, that a priest, on account of his religion, was actually hanged.

1566. Although the murders of Ricio, and afterwards of Darnley, were perpetrated in Edinburgh; yet, as these enormities sprung from no commotion among the citizens, but from the jealousy, resentment, or ambition of those who swayed the sceptre, or surrounded the throne, these deeds of ferocity and darkness fall to be recorded in the history,

1597. not of the city, but of the court. Edinburgh was unhappily the theatre of a rapid succession of the most atrocious crimes: The murder || of a favourite, in presence of his royal mistress, in the sixth month of her pregnancy, countenanced by her partner in the throne: The assassination of

* Keith's Catalogue of Bishop's, p. 24. Spottiswood's Hist. p. 187, 252.

† Knox's Hist. p. 378.

‡ Dr Robertson observes, that not a single catholic suffered death on account of his Religion. He quotes, for his authority, Leslie de reb. gest. Scot. p. 231. In one of the two editions which we have discovered of this book, the page alluded to respects the reign of Alexander III. in the other that of Robert Bruce. But, at any rate, Leslie was dead before the instance we refer to happened. Spottiswood has laboured to vindicate his master King James from having taken the blood of a priest on account of his religion. His metaphysical distinctions do not convince us. It appears to us entirely the same, whether the Priest was hanged for saying mass, or for making unsatisfactory answers to the interrogatories put to him concerning the King's supremacy, of the papal jurisdiction. King James, no violent enemy to popery, was nevertheless jealous of his royal authority. In his conduct towards this Priest, he seems to have had in his eye the example of that master in tyranny Henry VIII. whose conscience and friendship would not allow him to behead Sir Thomas More *on account of religion*. But, upon his being inveigled to say, that any question, with regard to the law which established supremacy, was like a two-edged sword, if a person answered one way, it would confound his soul, if another, it would destroy his body, he was indicted for *high treason*, and beheaded. We can perceive no difference in the cases, except the personal character of the sufferers; the one a person eminent for learning and virtue; the other, a furious bigot, who was not however more remarkable for indiscreet zeal and treasonable doctrine, than the reformed preachers of the time; Robertson's Hist. vol. 1. p. 187. Spottiswood's History, p. 521. Scott's History, p. 585. Hume's History, v. 4. p. 151. Keith's Cat. p. 117.

|| Robertson's History, v. 1. p. 358, 400, 419. Hume's Hist. v. 5. p. 110, 118.

the sovereign in his own apartment, not without foul suspicion of the blow having been directed by that hand which, of all others, should have guarded him from harm; the undoubted murderer, screened by a mock trial, and loaded with honours, prevailing, with prostituted judges to annul his marriage, upon trivial or scandalous pretences, and afterwards mounting the bed which he had already stained with treason and murder; bespoke the perpetrators dead to every sentiment of honour and humanity; or, at least, showed, that their feeble calls could not be heard amongst the most furious storms of passion which could agitate the soul; and, at the same time, attracted the contempt and detestation, while they excited the amazement, of Europe.

A chain of events, so singularly ignominious, was not beheld in Scotland without indignation. One of the ministers of Edinburgh with a boldness * which reflects upon him an honour that will be obliterated only with all memory of the transaction, had already testified his duty to his Queen and his country, by the most earnest dissuasives, and solemn protestations against her marriage with Bothwell. Several of the nobility associated themselves in defence of the infant Prince, whose person was like to fall into very dangerous hands. They came to Edinburgh, which they entered without opposition †, and were joined by many of the citizens. They marched eastwards to encounter the forces which the Queen and Bothwell had assembled on Carberry hill. Guilt, with its companion fear, and the reluctance to fight in so bad a cause, dispersed the Queen's army without a blow, and left its miserable ‡ leaders no other resource than to Bothwell precipitate flight, and to Mary ignominious surrender to a biggotted and ungenerous enemy. The associated Lords conveyed the Queen to Edinburgh: She assiduously protracted her journey to a very late hour, wishing for the shades of night to conceal her disgrace. The accumulated grounds of reproach which we avoid to repeat, had so steeled the minds of the people, that neither fallen royalty, nor beauty in distress could awaken them to compassion. Covered with dust, and overwhelmed with grief and shame, she entered Edinburgh, amidst the insults of the populace, a banner being carried before her, whereon was displayed her infant son, kneeling before the body of his murdered father, and praying, 'JUDGE AND REVENGE MY CAUSE, O LORD.' She lodged for that night in the Lord Provost's house, and was next day carried into confinement, in which hardly a ray of sunshine pierced through the gloom that overshadowed the sad remainder of her days.

1567.

* Hume's Hist. v. 5. p. 117. † Robertson's Hist. v. 1. p 426.
‡ Hume's Hist. v. 5. p. 122. Robertson's Hist. v. 1. p. 430.

After a resignation of the crown was extorted from Mary, and the regency of the kingdom bestowed upon the Earl of Murray, his first object was to obtain possession of Edinburgh Castle. Arms were unnecessary to wrest * that fortification from its corrupt and perfidious governor: The confident of the Earl of Bothwell, who had already, when he delivered to the Earl's servant his casket of letters of the last importance, at the same time sent intelligence to Bothwell's enemies to intercept them, could find no difficulty in deserting the garrison entrusted to his command. The price publicly stipulated for Edinburgh Castle was five thousand pounds, and the priory of Pittenweem. But the Castle, so infamously sold to the
1570. Regent, was not long retained in his interest. Sir William Kirkaldy, the governor, declared in favour of Mary; the city was sometimes in possession of the Queen's party, oftener in that of the † Regent, and was the scene of desultory and cruel war between these contending factions. The Lords who favoured the King's cause, (for the parties were known by the appellation of *King's-men* and *Queen's-men*) applied for assistance to Elizabeth. It seems to have been the policy of that artful princess to provide for her own security, by embroiling the affairs of the Scots in such manner that their martial fire, consumed in domestic dissensions, should never spread into England. Elizabeth sent a body of a thousand foot, and three hundred horse, under the command of Sir William Drury, to aid the king's party. They encamped, together ‡ with a body of Scots, at Leith. Sir William required Kirkaldy, the governor, to surrender the castle; but while they were negotiating, those who were disaffected to the queen's interest having been commanded to leave Edinburgh, assembled in a hostile manner, under a banner whereon this motto was displayed, 'FOR GOD AND THE KING,' which put an end to th treaty.

The war was carried on in various skirmishes, and in ravaging the lands of the respective leaders, as well as intercepting the provisions of the parties; the repeated hostilities inflamed the factions with great cruelty. The Earl of Morton conduct-
June 28. ed a body of Scots, who adhered to the king, from Leith to Restalrig, || where they drew up in order of battle. The queen's forces, led by the Earl of Huntly, and others of the nobility who favoured her cause, marched from Edinburgh to encounter them. The English General interposed. He endeavoured to accommodate their differences, and to spare the effusion of blood. The armies separated.

* Spottiswood's Hist. p. 208, 213. † Robertson's Hist. v. p. 2. 5, 6, 25.
‡ Robertson's Hist. v. 2. p. 6. Scott's Hist. p. 448.
§ Scott's History, 449, 450.

agreeing to retire to their respective quarters. But this amicable accommodation became the means of the Queen's forces being ensnared by Morton's treachery. Making a circuit with his troops, they made an unexpected attack upon the Queen's, when entering the Water-Gate, and killed about fifty of them; but of Morton's followers, two * only were slain: And, to prevent the city being taken by surprise a strong gate was built by the Queen's party at the Nether Bow, a little above the one lately pulled down. In the course of the siege, the King's party marched from Leith; and, in order to provoke the Queen's forces to an engagement, they approached unwarily too near the Castle. The Lord Methven †, and seven of his followers, were killed by shot from the garrison. In
1572. revenge for the loss they had suffered, as well as to distress the garrison, the King's troops destroyed the mills on the Water of Leith. They at the same time, put guards on the different avenues of the city, to cut off all supply of provisions; and, in order to strike terror into the country-people, they hanged two men for carrying sheep to the market, and scourged five women, with great severity for similar practices. The violence of party-spirit, heightened by mutual injuries, had now exasperated them to such a pitch of rancour, that the prisoners on each side, without respect to their quality or condition, were led to immediate execution upon gibbets erected within sight of their friends. It is said, that the unhappy prisoners, by fifties ‡ at a time, fell victims to such shocking barbarity. At last wearied with mutual slaughter, a truce was agreed on till the first of the ensuing month of January; and the Earl of Morton, now Regent ‖, took the opportunity, in the mean time, to erect two bulwarks across the high-street, nearly opposite to the tolbooth, to shelter the city from the canons of the castle. The truce being expired, the governor began early in the morning of the first of
Jan. 1. January to canonade the city. Some of the artillery were pointed against the fish-market, which had been lately built. The bullets lighting among the fishes, scattered them about the streets, and beat some of them so high, that the tops of the houses received them in their fall. The singularity of the spectacle drew many people into the streets; and the poorer sort, incited by their desire to make prey of

* Spottiswood's account of this scuffle is very different, and wears the strongest appearances of improbability and fiction; besides, the absurdity of supposing Mary's partizans to pay the courtesy to Sir William Drury the General of the enemy, as to accompany him on his way to England. Sir William did not leave Scotland for long after. The place of the attack, and the vast disparity in the number of the slain, confirm the testimony of Morton's treachery; Spottiswood, p. 255.

† Scott's History, p. 452.

‡ Robertson's History, v. 2. p. 31. ‖ Scott's History, p. 454. 456.

the fishes, ran to gather them, regardless of the danger. A bullet lighting among them, five were killed, and four times that number dangerously wounded. Some time afterwards the cannons were directed against some thatched houses nigh the West-port. The frequent * cannonading, and the wind, which blew very high, spread the flames; several houses were burned, by which the citizens were greatly enraged against Kirkaldy.

The miseries of civil discord led the nation to wish ardently for peace. A treaty to that effect was agreed † on betwixt the leaders of the opposite factions; but Kirkaldy would not be comprehended in it. The Regent solicited Elizabeth's assistance to reduce the Castle; and Sir William Drury, who before this had left Scotland, returned with fifteen hundred foot, and a train of artillery ‡. He summoned Kirkaldy to surrender, who, in token of defiance, unfurled his ensign from the top of the garrison. The English General and the Regent opened the trenches, and pushed the siege vigorously. Five batteries were || erected against the Castle; one of them on the spot where Heriot's-hospital now stands, the other four, at nearly equal distances, in a curve line by the west of the Castle; the last of them being raised in Bearford's Park, a little to the westward of due north from the battery erected at the hospital. The fortress was defended with great gallantry; but a great part of the fortifications being demolished, the well being choaked with rubbish, every supply of water cut off, and the garrison, though resolute, not animated with the undaunted and unconquerable spirit of their commander §, after a siege of thirty-three days, the Castle was surrendered; the English General having promised, in the name of his mistress, favourable treatment to the Governor. Elizabeth basely gave him up to Morton, who rewarded his gallantry with a halter.

Feb. 23.

1573. April 25.

May 29.

By the treaty already mentioned, and the reduction of Edinburgh Castle, the civil war was extinguished, and Morton firmly established in the regency. Avarice prompted him to acts of rapacity and oppression; to these, his jealous attention to preserve the plenitude of his power added cruelty. His administration became universally odious, and he found it necessary to resign the ¶ government into the hands of the young King. Edinburgh Castle was at the same time summoned to surrender; but the governor, who was Morton's brother, refused to yield. Resolved to stand a siege, he detached a party of the garrison

1577. March 12.

* Scott's History, p. 457. † Robertson's History, v. 2. p. 46. ‡ Holinshed's History of England, p. 1866. Spottiswood's History, p. 271. || Spottiswood's History, p. 271. Holinshed's Map of Edinburgh, A. D. 1573. § Robertson's History, v. 2. p. 47. 50. ¶ Scott's History. p. 466, 467.

to the east end of the city * to buy up provisions; the citizens rose to intercept their return; the soldiers fought their way through the citizens, killed one, and wounded severals, but were obliged to drop their provisions: And Morton, upon getting a pardon, whose ample terms did not, however, in the end, screen him from punishment, resigned the fortress.

1578. May 24. He embraced the first opportunity of resuming the power he had so reluctantly quitted. Repairing suddenly to Stirling castle, where the king resided, he had address enough to reinstate himself in his authority, to obtain command of the garrison, and custody of the royal person. The king sent a letter, lamenting his confinement to the Chancellor, and entreating him to raise all the forces he could muster, to effectuate his release. The citizens of Edinburgh being informed of the king's confinement, and an ambassador from England † arriving at that critical moment, the people were alarmed with the most violent apprehensions about his majesty's safety. They cried aloud, 'Morton has sold us to the English: He is to deliver up the King to Queen Elizabeth.' The people rose in arms, and the trained bands offered their services to the Privy-council. Mean time Morton sent a herald in the King's name, commanding the magistrates of Edinburgh to apprehend all those who had taken arms within their jurisdiction. Distracted between such opposite orders, pretended to originate from the same source, the Lord Provost went in person to Stirling, and was instantly committed prisoner to the Castle of Down. An accommodation, however, was effectuated; and Morton, finding that he could not

1579. Oct. 20. keep the King perpetually cooped up in Stirling Castle, suffered a parliament to be assembled in Edinburgh. His Majesty's introduction to the city was graced with an absurd and expensive pageant, which, while it testified the loyalty of the citizens, also displayed the pedantic and fantastical taste of the times.

From the height of power, Morton traced his downfal, by steps neither gradual nor distant: But, even in dejection and disgrace, he was the object of terror. Being charged with the

1580. Dec. 30. murder of the late King, apprehensions were universally entertained that he would make some desperate attempt upon the person of the Sovereign. These ‡ suspicions were confirmed by Elizabeth's anxious and pressing intreaties in Morton's favour. As no guard had hitherto surrounded the Scottish throne, King James applied

* It had probably been to the head of the Canongate; a flesh-market was kept then, and long after, on the high street at the head of the Canongate: Gordon's Map of Edinburgh, A. D. 1646. † Scott's History, p. 469. 470.; Robertson's History, v. 2. p. 72. ‡ Scott's History, p. 476; Council Reg. v. 6. p. 114. 122.

LIBRARIES

Jan. 18. to the town-council of Edinburgh to raise a hundred men to protect his royal person, and a hundred more to convey the Earl of Morton from the castle of Edinburgh to that of Dumbarton. The Council complied with his request; and the King, still thinking himself insecure, demanded of Feb. 22. the city an additional company of a hundred men, to guard him in his palace of Holyrood-house, which the town accordingly granted.

Scotland being freed from the shackles of papal usurpation was well nigh subjected to a more formidable tyrant in the person of her deliverer. She preserved her freedom and independence, but with difficulty: And to this struggle between the civil and ecclesiastical states, most of the troubles which distracted the nation for near a hundred years may be imputed. If the Pope claimed, in religious matters, a supremacy over temporal sovereigns, the presbyterian declared his independence upon them, prudently chusing a head placed at a convenient distance. If, during the most arbitrary sway of the Romish hierarchy, it was held impious to summon a churchman before a lay tribunal, the presbyterian maintained, that, in point of doctrine, he was liable to the cognisance only of a spiritual court; that, were treason itself to be delivered from the pulpit, it behoved it, in the first place, to be tried by the presbytery, and that neither King nor council could decide upon it in the first instance. From his approach to the age of maturity, almost till his accession to the throne of England, James, in the safety of his person, and stability of his throne, was exposed to perpetual danger from the plots of turbulent nobles and factious churchmen; the former of whom sought to aggrandize their respective families; the latter to exalt the clerical order, by a depression of regal power. When we consider, that he was also exposed to the conspiracies of papists, who, to introduce their superstition, scrupled not to expose the nation to subjection under a foreign yoke; to private resentment, which armed the traitor with a mortal dagger: When we also reflect that he ascended the throne, an infant of a year old, upon the expulsion of his predecessor; and that of the four Regents who administered the government during his minority, ambition or avarice were the ruling passions of the first and last of them; and that sternness of temper, not to say downright cruelty, were the characteristic features of them both; we must admire the felicity of fortune, if not also the prudence in conduct, by which James, when he resigned his life in the ordinary course of nature, transmitted to his son his native kingdom, as well as the greater dominions to which he succeeded. Perhaps we may revere the protecting arm of the Deity, who is presumed to interpose, in a peculiar manner, in behalf of his anointed.

The benefices in Edinburgh, although pitiful *, were the best livings in the church; we may therefore conclude, that the most eminent, or what in those days was synonimous, the most seditious preachers in the church, were appointed to the pastoral charge in Edinburgh. Like the first propagators of Christianity, their poverty exposed them not to contempt. Possessing neither opulence nor splendor, they indulged the most refined species of pride, in an austerity which despised them. Condemning the luxuries of life as criminal; rejecting its comforts as contemptible; abhorring the external ceremonies of religious pomp and worship, and unfettered by all its forms; they acquired a reputation for sanctity, and inspired the ideas of devotion, by a simplicity which rejected the aid of ornament, and left unbounded scope to the imagination, which they inflamed to a pitch of enthusiasm. By these means, they acquired over the people an influence ever fatal to the peace and happiness of individuals, and the security of civil government, when possessed in such extent by the clerical order; and they left to posterity, the benefit of historical experience, instructing those to whom the laws have entrusted the presentation to churches, how much the duty they owe to the city and to the state, requires their vigilance in scrutinizing the characters of clergymen, that those of seditious principles may never be admitted into Edinburgh.

1582. Aug. 22. William, Earl of Gowry, having, at his house of Ruthven, seized the King, he, with other Lords, kept his Majesty † in confinement, and directed affairs at their pleasure. The pulpit resounded with applauses of the godly deed. An act of assembly was passed, declaring the conspirators 'to have done good and acceptable service to God, their Sovereign, and the country;' and threatening with ecclesiastical censures those who, by word or deed, should oppose *the good cause*. The Lords brought the King to Edinburgh. The solemnity of his reception was characteristic of the manners of the times. He was met by the Ministers of Edinburgh. The whole procession walked up streets, singing a psalm, expressive of their critical escape from danger, and the great deliverance they had obtained by the captivity and subjection of the King. The news of James's ‡ confinement spread all over Europe; they even pierced the walls of her prison, and reached the unfortunate Mary, whose maternal feelings they extremely agitated. Henry III. of France sent an ambassador to Edinburgh, with instructions to exert his utmost endeavours

* The salaries of the four Ministers of Edinburgh, (A. D. 1588) were, of the first, 600 merks, of the second, 500, of the third, 300, of the fourth, 60.; Council Reg. v. 8. p. 189. † Spottiswood's Hist, p. 320. 322. ‡ Robertson's Hist. v. 2. p. 95.

to restore to the king his freedom and independance.* When the ministers of Edinburgh understood the purpose of the embassy, they declaimed against the messenger and the errand with equal scurrility. La Motte, as a knight of the Holy Ghost, displayed on his shoulder a white cross. This they denominated, 'the badge of Antichrist,' and La Motte himself, 'the ambassador of the bloody murderer,' (meaning the duke of Guise.) The railings of the clergy, and the insults of the populace, so disgusted La Motte and La Meneville, his companion in the embassy, that they earnestly urged their dismission. The king, vexed at this contemptuous treatment, and unwilling to show respect to the ambassadors, desired the magistrates of Edinburgh to entertain them. They were invited accordingly, and a day fixed for the banquet. The ministers, highly provoked at this instance of respect, resolved to disappoint it. On the Sunday preceding, they ordained a fast to be observed on the very day the magistrates had chosen for the entertainment. The day being arrived, to detain the people in church, three of their most famous preachers successively mounted the rostrum, and thundered curses on the ambassadors, and all who dared to entertain them; and they pursued the magistrates with ecclesiastical censures, for contemning the orders of the church.

Feb. 16.

1583. The king being escaped from confinement, Gowry was hardly pardoned, ere, in conjunction with the preachers, he hatched a new conspiracy. The city of Edinburgh rose in defence of the king. The insurrections † were quelled, and an end was put to Gowry's treasons.

1584. The ministers of Edinburgh had all along justified *the raid of Ruthven*, (so the king's confinement by Gowry was called.) One of them being summoned before the privy-council, refused to acknowledge himself to have been guilty of any offence. And one of the ministers of St Andrews being cited on the same account, declined the jurisdiction of the king and council, and exclaimed in his wrath, that 'the 'king perverted the laws both of God and man.' A parliament was held at Edinburgh. The authority of the king, and of the estates of parliament ‡, in all cases, and over every order, spiritual and temporal, was confirmed. These statutes, however, were not enacted without opposition from the clergy. They deputed one of their number to wait upon the king, and entreat, that no act concerning the church should be passed till they should be heard. Instead of this message being listened to, the Earl of Arran sent him prisoner to the Castle of Blackness; upon which the ministers of Edinburgh instantly fled to England. One of them, however, bolder

* Spottiswood's Hist. p. 324. † Ibid. p. 330. ‡ Act of parliament, James VI. parl. 8. c. 129, 130, 134; Spottiswood's Hist. p. 333, 334.

than his brethren, previous to his flight, repaired to the cross, where, while the heralds, according to custom, were proclaiming the statutes, he solemnly took instruments in the hands of a notary, declaring the church's dissent from these acts, and protesting that no obedience was due to them: and the absent ministers sent a letter to the kirk-session and town-council, reviling the measures of the court in the most opprobrious terms, and declaring, 'the acts made in the late parliament, repugnant to the word of God, *and doctrine often-times preached by them.*' The kirk-session and town-council by the king's command, returned an answer to the ministers, expressing their detestation of the treasonable doctrines contained in their letter, and rejecting, as pastors, those who had deserted their flocks.

The Lords who were exiled for having been concerned in
1585. the late conspiracy, being pardoned, returned *; and the ministers returned along with them. The chastisement they had suffered for their recent follies did not teach them discretion. They insisted that the late acts, which established the king's authority in spiritual matters, and prohibited the clergy from meddling in state affairs, and from railing and slandering in the pulpit against the king, should be repealed. Amidst the reproaches they threw out against the king for his refusal to abrogate those laws, one of them preaching in Edinburgh, observed, 'that Captain James, † (the name they gave to 'the Earl of Arran,) with his lady Jesebel, and William 'Stewart, were taken to be the persecutors of the church; 'but that now it was seen to be the king himself, against 'whom he denounced the curse that fell on Jeroboam, that 'he should die childless, and be the last of his race.'

Such was the virulence of hatred, or height of contempt,
1586. which they entertained for their sovereign, that, when he commanded them to pray for his mother, on whom the rigorous policy of Elizabeth had pronounced sentence of death, the king's own chaplains, and one other clergyman, alone complied. Willing to have their fault amended, particularly at Edinburgh, where the disobedience was most glaring, the king appointed a new day, when prayers should be said for his mother. In order to prevent the cavilling of the ecclesiastics, he had been scrupulously cautious in the form of prayer he had chosen. It contained no other petition than charity would prefer for ‡ the worst of enemies; 'that it 'might please God to illuminate Mary with the light of his 'truth, and save her from the apparent danger with which 'she was threatened.' The king, that he might not be exposed to the insult of a refusal, in his personal presence, or-

* Scott's History, p. 495. † Spottiswood's Hist. p. 343; Scott's Hist. p. 495. ‡ Spottiswood's Hist. p. 351; Scott's Hist. p. 507; Hume's Hist. v. 5. p. 317.

dered the archbishop of St Andrews to preach before him. But, on the day appointed, when the king came into the
Feb. 3. church, he found the pulpit occupied by a young man, who had not yet received holy orders, and whom the ministers of Edinburgh had instigated to mount the pulpit, to preclude the prelate. The king called to him from his seat, that the place was destined for another; yet, if he would obey the charge given, by remembering his mother in prayer, he might proceed to divine service; the preacher replying, that 'he would do as the Spirit of God should direct him,' sufficiently indicated his purpose. He was commanded to leave the pulpit; and as he seemed unwilling to obey, the captain of the guard went to pull him from his place; upon which he exclaimed, 'That this day would be a witness against 'the king in the great day of the Lord;' and, as he descended from the pulpit, he denounced a woe upon the inhabitants of Edinburgh, for suffering him to be so ignominiously treated.

James, unable to sooth or subdue the seditious spirit of the
1587. ecclesiastics, directed his attention to compose the personal quarrels, or family feuds, which had long distracted the nobles, and had excited great disorder in the country. His good offices were productive of at least apparent harmony; and, if he did not eradicate the seeds of contention, he, however, for a time smothered them *. He celebrated their reconciliation in a royal banquet at Holyrood-house. From thence they walked hand in hand, each with his new made friend, to the cross of Edinburgh, where they partook of a cold collation, drank to each other in token of mutual reconcilement, and thus, as it were, pledged themselves to the public for their future tranquillity and concord.

1592. Fresh causes of quarrel between the king and church were still bringing up. He had been induced, much contrary to his inclination, to establish the presbyterian form of church † government; and to introduce a salvo, in explanation of the act 1584, establishing the authority of the king in spiritual matters, and prohibiting the clergy from meddling in state affairs. By this salvo, the privileges warranted by the word of God were reserved to them. Such able casuists were at no loss in explaining, as they pleased, so vague a reservation. Still, however, the church was not satisfied; and both parties either felt or affected mutual fears and jealousies. It was the fortune of James hardly to have escaped from one snare, ere he fell into another. The popish lords formed a conspiracy to establish the Roman Catholic religion; and to that effect had resolved to join and assist Spanish forces in

* Spottiswood's History, p. 364.

† James VI. parliament 12. cap. 114. Robertson's History, v. 2. p. 208.

making invasion of England *. The facility of James's temper would not permit him to prosecute the conspirators with that rigour to which he was urged by the eager zeal of the ecclesiastics. This lenity excited great discontent, and became, as
1594. usual, the subject of declamation from the pulpit. Yet, at the same time, Bothwell, as he did not belong to the popish faction, was encouraged by the clergy in his treasonable attempts upon the king. Nay, the money which had been
1596. collected for relief of the distressed † protestants in Geneva, was applied by the ministers to raise men to Bothwell. It were tedious and trifling to relate the various disputes between the king and church about pardoning the popish lords. They evinced the low ebb to which royal authority was reduced; and they will be best explained in his own words to the clergy's committee ‡ upon grievances, 'There could be no agreement so long as the marches of the 'two jurisdictions were not distinguished.' The clergy had already, upon the return of the popish lords, sounded the alarm all over the kingdom, and convocated the most eminent of their number to Edinburgh, there to reside constantly, under the name of the *Standing Council of the Church*, and to be vested with its *supreme authority;* when the ravings of one Black, a minister at St Andrews, brought this rupture between the king and the church to a crisis which had well nigh accomplished the destruction of the metropolis, or of the sovereign.

This Black affirmed from the pulpit, that the king had permitted the return of the popish lords, and thereby detected the treachery of his own heart; that all kings were the devil's children; that Satan had the guidance of the court; that queen || Elizabeth was an atheist; that the lords of session (one of whose bills of suspension he learnedly discussed in his sermon) were a set of miscreants and bribers; and that the nobility were enemies to the church, false, godless, and degenerate. The clergy deemed even this man not unworthy of their countenance and protection. Being summoned before the privy-council, to answer for his treasonable discourses, they opposed the shield of spiritual jurisdiction, to protect him from royal vengeance. Black disavowed the authority of the privy-council; and the *Standing Council of the Church*, which still continued at Edinburgh, sent a solemn instrument disavowing their authority, to be subscribed by all the presbyteries in Scotland; and recommended to the ministers, in their public and private prayers, to commit the *good cause* to God, and to employ their credit, and exert their labours among

* Robertson's History, v. 2. p. 209, 214.
† Spottiswood's History, p. 402. ‡ Spottiswood's History, p. 419.
|| Spottiswood's History, p. 420, 423, 425. Robertson's History, v. 2. p. 229.

their respective flocks towards its maintenance and support. The king, incensed at proceedings tending so directly to mutiny, issued a proclamation, requiring the commissioners of the church to depart from Edinburgh within twenty-four hours. Upon this they assembled, and resolved *, 'That 'since they were convened by the warrant of Christ, they 'should obey God rather than man,' and continue together, notwithstanding any charge that might be given them. The articles of accusation against Black being fully proven, the king did not proceed in passing judgment, being desirous that the commissioners of the church would themselves pronounce some slight censure, or inflict some trifling punishment upon Black, with which the king declared he would be contented. But the commissioners replied, 'a punishment could 'not be inflicted where no cognition had preceded; for, as to 'the trial taken, neither was it done by the proper judges, nor 'was that equity observed which ought to have been; witnesses 'that were under the censures of the church, and ill affected 'to Mr Black, having been admitted to depone † (i. e. depose) 'against him.' In vain did his majesty seek to remove all objections to the trial. Every thing which candour and impartiality could devise was offered by the king, and rejected by the clergy. They imagined themselves to be the injured party, and declared, that since they saw 'the faithful pastors 'of the church reviled and pursued, they could not abstain 'from opposing these proceedings, with the spiritual armour 'given them by God.' They accordingly ordained a fast to be kept the Sunday following, with solemn prayers to God to avert the impending judgments.

The king published a declaration, tending to exculpate himself from the calumnies of the clergy; requiring anew the commissioners of the church to depart from the city, as also twenty-four of the burgesses who had become odious and suspected, on account of their professed attachment to the ministers. Fears and jealousies were kept alive and inflamed by rumours, which, whatever might be their foundation, were artfully propagated, that a strong guard had assembled, to defend the ministers against the violence which was dreaded from the king; and that the king's measures were directed by the popish lords who had been secretly admitted into his presence. Dissentions were fomented by designing people, who heightened the apprehensions of the clergy by a counterfeit letter, recommending it to them to provide for their security against the combinations of papists, who guided the royal councils. Persuaded of the truth of this intelligence, and sincerity of this advice, the minister who preached in rotation descanted upon the troubles of the church, and the treacher-

* Spottiswood's History, p. 422. † Ibid, p. 426.

ous proceedings of the court. He excited the nobles to emulate the virtues of their ancestors, by whose zeal and fortitude the true religion had been planted; alarmed them with apprehensions of the imminent perils which threatened the church; and, finally, requested the nobles and barons to meet in the *little church* after sermon, and assist the ministers with their advice in so critical a situation. They assembled accordingly, and drew up a petition, which six of their number presented to the king, who was then in the upper room of the Court of Session, at that time held in the Tolbooth. The contents of the petition, as well as the indiscreet and undutiful expressions which accompanied its delivery, offended the king; and as he at the same time observed a number of people thronging rudely into the room, he rose from his chair and stepped to the apartment beneath, where the judges were then sitting, and commanded the doors to be shut behind him. Meantime, the multitude who continued assembled, expecting the return of the deputies, were entertained by a minister with the story of Haman. Being seasoned with so wholesome an example, of which the application was obvious, their minds were in excellent frame for a tumult, when the deputies returned, informed the people, that the king would not listen to their petition, and suggested at the same time, that some other course should be taken.

Dec. 17.

The minds of the people thus artfully inflamed, burst forth into an excess of popular fury. The meeting was filled with tumult and uproar. Confused exclamations were echoed through the assembly; some calling for their arms, some, 'bring forth Haman,' and others, 'the sword of the Lord and 'Gideon.' They rushed forth and assaulted the tolbooth, in which were the king, the judges, and chief officers of state. It is not the province of history to form conjectures of the consequences which would probably have followed, had the tumultuous crowd succeeded in their attempts to force the gates. Happily they were baffled by the courage and loyalty of one of the deacons, assisted by his corporation; by the address of the lord provost, who soothed the rabble; by the promises of the king to receive their petitions, when presented in a regular manner, and by the endeavours of the clergy themselves, who were confounded at the violence of the outrage which they had occasioned. The mob dispersed, and the king returned without molestation to the palace.

The nobility, barons, and ministers, assembled in the afternoon to prepare a petition which the king had promised to receive. When the terms of the petition were adjusted, they appointed a committee, of whom the laird of Bargeny was principal, to present it to the sovereign. The king understanding that the committee was at the gates of the palace, sent Lord

Ochiltree to tamper with Bargeny, not to present the petition; and having prevailed with him, the rest of the committee also declined to present it, on their principal's failing to concur.

Early on the next morning, the king and privy council departed for Linlithgow. A proclamation was published at Edinburgh that same day, setting forth, that on account of the late treasonable uproar, in which a number of citizens instigated by the ministers, had taken arms to bereave the king and council of their lives, his majesty deemed Edinburgh an unfit seat of residence for the court, or for the administration of justice: he, therefore, required the college of justice, the inferior judges, and the nobility and barons to retire from Edinburgh, and prohibited them from returning without his express licence. The calamity in which Edinburgh was plunged, was of such a nature as to be instantly perceptible to the citizens, on whom it operated strongly, producing in them a hearty desire to obtain a reconciliation with the king. Not so the ministers; they resolved that the contest should be maintained; that the nobility and barons should not be dispersed by the royal proclamation, but that new ones should be assembled to support the *good cause.* A bond to that effect was accordingly drawn up, but the town-council declined to subscribe it, on the most specious pretences they could alledge. And to keep the minds of the people in proper tone, a fast was proclaimed through the city, and sermons of preparation ordained to be made that same afternoon. The minister who preached in St Giles's church chose for his theme the tribulations of the church of Ephesus; her courage and constancy under sufferings, and the glorious reward to be given to him who overcometh, 'To eat * of the tree of life, which is in the 'midst of the paradise of God.' He railed furiously against the king, exclaiming that he was possessed of a devil: that one devil being put out, seven worse were entered in his place. And that the subjects might lawfully rise and take the sword out of his hand. In the mean time, a letter was dispatched by the ministers of Edinburgh to Lord Hamilton, informing him, that the citizens and godly barons, animated by God's spirit, had taken arms in behalf of the church, which they had engaged to patronise; that they wanted a nobleman, whom distinguished rank and abilities entitled to be their leader; and as such, they had unanimously pitched on Lord Hamilton, whom for that purpose they entreated to come to Edinburgh. His Lordship, instead of joining the treasonable convention at Edinburgh, repaired to Linlithgow, and shewed their letter to the king. Provoked by this additional insult, his majesty directed a charge to the magistrates of Edinburgh to incarcerate

* Revelations, chapter ii.

the ministers; but they having some how got intimation of their danger, escaped imprisonment by speedy flight.

Dec. 27. A deputation of the most respectable burgesses, sent to the king, attempted in vain to mitigate his resentment. He came to Leith on the last of December, and his entry to Edinburgh on the following day was in this manner. The keys of the city were delivered to one of his officers; the charge of the town was committed to the Earl of Marr, with the Lords Seaton and Ochiltree. The citizens were ordered to keep within their houses, and the streets were lined with a double file of guards, between whom the king and his train rode to the tolbooth: nor was there a spectator to view this silent and solemn procession. A convention of estates

Jan. 5. was there assembled, before whom the magistrates humiliated themselves with the most submissive prostration. They utterly disclaimed all foreknowledge of the tumult; declared their resolution to continue in the most diligent search for discovering its authors, that they might be brought to condign punishment; professed the most loyal attachment to the king; made offers that none of the seditious ministers should be allowed to return to their charges, or others be admitted to the pastoral office within the city, but with his majesty's approbation; and that in the election of their magistrates, they should present to his majesty, and his lords of council and session, *leets* * of the persons they meant to choose, and whom his majesty and their lordships might approve or reject at pleasure. The earnest supplications of the magistrates, and the warm intercessions of some of the nobles in behalf of the city, were urged in vain. The convention of estates declared the late tumult to be high treason, and that the city itself should be subjected to all the penalties of that crime, if the magistrates did not discover the authors, and inflict on them exemplary punishment. Nay it was even proposed, that the city should be razed to the foundation, and a pillar erected on the place, as a monument of its blasted treasons.

Edinburgh was now reduced to desolation and despair. Stripped of those advantages which enrich and adorn a metropolis, the presence of the sovereign, the residence of the supreme judicatories, and the concourse of all ranks which surround the throne, she found also her ministers fled, her magistrates degraded, and her walls themselves threatened to be levelled with the dust; her anxiety under misfortunes was swallowed up in more alarming apprehensions of destruction.

As James's severity against Edinburgh was dictated rather

* A leet is a term in the Scots law, signifying a list of names of persons who may be chosen to bear certain offices, given by electors, to a different body of electors, to be by them rejected or approved, in whole, or in part, according to the constitution of different bodies politic, and inclination of the electors.

by policy than inclination, Elizabeth's interposition in favour of the city afforded a decent pretext for abating his rigour. Still, however, it was resolved to prosecute the city criminally, and for that purpose the town-council, as its representatives, were ordered to enter themselves in ward in the town of Perth, by the first of February. Upon their petition, however, the term for their appearance was prorogued to the first of March; and instead of the whole council being required to surrender themselves, the appearance of thirteen of its members was declared to be sufficient, provided they were possessed of a commission, impowering them to appear for, and by appearing, to subject the whole council. The trial commenced on the fifth of March. It was brought to an issue equally speedy and fatal. One of the requisite number having failed to appear, advantage was taken of the point of form, and the cause decided in the manner customary when defenders fail to appear. The community were declared rebels, and their revenues escheated.

March 5.

For fifteen days the city remained in a state of anarchy *; but, upon the supplication of the magistrates and council, and their offer to submit themselves entirely to the King's mercy, he restored the community against the forfeiture; exacting, however, the following conditions, besides those already offered: That the houses which had been possessed by the ministers should be delivered up to the king, and the ministers afterwards live dispersed through the different quarters of the city, each in his respective parish; that the town-council house should be appointed for accommodating the court of Exchequer; that the town should become bound for the safety of the Lords of Session in their persons and estates, against any attempts of the burgesses, under a penalty of forty thousand merks; and that the town should pay twenty thousand merks to his majesty †.

March 21.

The king's resentment against the clergy soon abated, and he suffered the degraded ministers ‡ of Edinburgh to be reinstated. The year, which || formerly began on the twenty-fifth of March, was now ordained to begin on the first of January. Nothing farther of moment happened till James's accession to the throne of England. Before his departure from Edinburgh, he went to St Giles's church, there, as it were, to bid solemn farewell to his people. The congregation, assembled on so sin-

1600.

1603. April 4.

* Spottiswood's History, p. 427—432. 448. 449. Council Register, v. 10. p. 105. 106. 111. 117.

† The citizens finding it very troublesome to keep watch in person, a guard of thirty men was at this time appointed by the council, for keeping watch in the city. Council Register, vol. 10. p. 147.

‡ Spottiswood's History, p. 449. || Scott's History, p. 552.

gular an occasion *, was extremely numerous. The minister preached an exhortatory discourse, which the king took in good part; and, when it was concluded, his majesty observing the people to be exceedingly affected, addressed them in the warmest language of friendship, requesting them not to be dejected at his leaving them, since, as his power to serve them was increased, his inclinations, he assured them, were not diminished.

CHAPTER II.

MANNERS of the ancient Scots—Their Dress and Table—Their Houses and Furniture—Their Learning—Art of Printing—Trade —Navigation—Spirit of Chivalry, and its Effects—Religious Ceremonies—Dramatic Representations—Game of Robin Hood —Mass of Requiem—Hospitality of the Popish Ecclesiastics— Poverty of the Reformed Clergy—Discovery of Coal—Value of Money—Table of the Prices of Provisions from A. D. 1000 *to* 1600*—Specimens of the Table of King James IV.*

HISTORY affords entertainment and instruction in so far as it delineates manners; and its merit may be said to be proportioned to the justice and liveliness of the picture which it presents. The darkness which hangs over the period we have described, allows us to offer but a *sketch* of the manners of the people, and the prices of provisions, in the different stages of this æra.

After making allowance for the peculiarities which distinguish national characters, we will find, that the character of different people, in the same state of society, is very similar; and that their manners improve with their knowledge in arts and sciences, till they have arrived at an acme of refinement, which degenerates into the basest corruption. It would seem, that there is one exception to this rule, namely, in the first stage of society, when hunting and war are the sole occupations of a people; or, at least, that such an exception is to be found among the ancient Caledonians. To reject the authenticity of the Poems of Ossian, we apprehend impossible; yet, to admit such dignified sentiments, such purity of manners, as have not prevailed generally among the most polished nations, to subsist in the earliest and most illiterate stages of society, contradicts every principle which an observation of its progress has enabled us to form. It is still more unaccountable, that with a people so pure, so honourable, amidst

* Spottiswood's History, p. 476.

their ignorance; the dawn of arts, of letters, and of the Christian religion, should be accompanied with their degeneracy into gross barbarism: And that Christianity, with its introduction, should confirm, by example, the truth of the doctrine which it inculcates, 'That a taste for knowledge expels from a state of paradise.' We shall not attempt to reconcile difficulties by sophistical reasoning, but will rather rest under the mortifying acknowledgement, that, although the fact undoubtedly so stands, we cannot satisfactorily account for it. The manners of the Caledonians, as represented by Ossian, are so generally known, that to describe them here would be superfluous, nor indeed, could justice be done to them in an abridgement. To us is left the ungracious task, to mark how widely succeeding ages, in a more advanced stage of society, deviated from the virtues of their ancestors. The feudal tenures which prevailed in Scotland; the unlimited jurisdiction enjoyed by the greater barons over their numerous followers, many of whom were their absolute slaves, were of themselves utterly incompatible with good order; so that although the king had a nominal supremacy over the whole, yet he possessed not power to render his authority effectual; and every great baron, in effect, was, in his own domains, a petty, yet absolute tyrant. In a system of government where a few are possessed of uncontrouled authority, and where the multitude are absolutely dependent on their pleasure; where no redress can be obtained for injuries but by applying to one tyrant to assault another; where also the minds of the people are not enlightened nor humanized by science, and where they have neither arts nor commerce to afford them occupation, we need hardly apply to the testimony of history to be assured of the prevalence among them of those disorders which flow from an unlimited sway of the fiercer passions. That their history was but a narrative of the various effects of cruelty, treachery, superstition and lust; that of their monarchs from Fergus, *the second of that name*, in their ideal catalogue of kings, down to James VI. one half perished by violent death; that towards each other they practised oppression and deceit; that they united, however, against a stranger whom they invariably considered as an enemy; that the great barons, as they enjoyed the fruits of every thing else, so they cropt the virginity of the damsels born in their territories; and that personal courage was perhaps the only qualification which they possessed that can be ranked among the catalogue of virtues.

Even in the reign of David II. the manners of the Scots seem to have been hardly unsuitable to the foregoing description. Ambassadors from France came to Scotland, accompanied with a train of nobility, and a body of soldiers. They succeeded in their purpose of inducing the king to invade

England. The state in which they found this country is accurately described by a contemporary * historian, who is by no means deemed unfavourable to the Scots. In Scotland, says he, a man of gentle manners, or honourable sentiments, is not easily to be found. He adds, that those of their country are like wild and savage people, shunning acquaintance with strangers, envious of the honour or profit of every one beside themselves, and perpetually jealous of losing the mean things they have; that hardly any of the nobility kept intercourse with the French, except the Earls of Douglas and Murray; that Edinburgh, although by this time the first city in Scotland, could not accommodate the French, many of whom were obliged to seek lodging at Dunfermline, and other towns at still greater distances; that the French knights complained grievously of their wretched accommodation, no comfortable houses, no soft beds, no walls hung with tapestry; and that it required all the prudence of the French commander to restrain their impatience for leaving so miserable a country; that when they wanted to purchase horses from the Scots, they were charged six, nay even ten times the price for which these horses would have been sold to their own countrymen; that when the French sent forth their servants a foraging, the Scots would lie in wait for them, plunder them of what they had gathered, beat, nay even murder them; that they could not find saddles nor bridles, leather to make harness, nor iron to shoe their horses, for that the Scots got all such articles ready-made from Flanders †; that in their military excursions they carried along with them no provision of bread nor wine, no pots nor pans, for that they boiled the cattle in their hides; that upon their precipitantly quitting their camp on the borders, the English found in it the carcases of five hundred beasts, mostly deer, and three hundred cauldrons made of their skins, with the hair still on them, stretched on stakes, filled with water, and the flesh put in them, ready to be boiled; that they found also a thousand spits, with flesh for roasting, and five thousand pairs of shoes ‡ made of raw leather, with the hair still on them.

In a period, later by two hundred years, the manner of living among the Scots was greatly improved. Upon their being defeated in the battle || of Pinkey, the English found in their camp oat-meal, oat-cakes, wheaten-bread, butter, cheese,

* Bourchier's Froissart, vol. 1. p. 8, and 10. v. 2. p. 3, and 4.

† Froissart, vol. 1. p. 8, and 10. Buchanani op. v. 1. p. 152. Holinshed's History of Scotland, p. 226.

‡ Notwithstanding this, the method of tanning leather was known long previous to this in Scotland. Leges Burgorum, cap. 93. Statut. Gildar. c. 41.

|| Holinshed's History of England, p. 988.

ale, wine, and in some of the tents, silver-plate and chalices. Still, however, their manner of living makes a wretched figure, when compared with modern refinement. It is accurately described by an Englishman who visited Edinburgh, A. D. 1598. 'Myself,' says he, 'was at a knight's house*, 'who had many servants to attend him, that brought in his 'meat with their heads covered with blue caps, the table be-'ing more than half furnished with great platters of porridge, 'each having a little piece of sodden meat, and when the 'table was served, the servants sat down with us; but the 'upper mess instead of porridge had a pullet, with some prunes 'in the broth. And I observed no art of cookery or furniture 'of household-stuff, but rather rude neglect of both, though 'myself and my companion, sent from the governor of Ber-'wick about bordering affairs, were entertained after their 'best manner. The Scots living then in factions, used to keep 'many followers, and so consumed their revenue of victuals, 'living in some want of money. They vulgarly eat hearth 'cakes of oats, but in cities have also wheaten bread, which, 'for the most part, was bought by courtiers, gentlemen, and 'the best sort of citizens.

'They drink pure wines, *not with sugar, as the English;* 'yet at feasts they put comfits in the wine, after the French 'manner, but they had not our vintners' fraud to mix their 'wines. I did never see nor hear that they have any public 'inns with signs hanging out; but the better sort of citizens 'brew ale, their usual drink (which will distemper a stranger's 'body), and the same citizens will entertain passengers upon 'acquaintance or intreaty. Their bed-steads were then like 'cupboards in the wall, with doors to be opened and shut at 'pleasure, so as we climbed up to our beds. They used but 'one sheet, open at the sides and top, close at the feet †, 'and so doubled. When passengers go to bed, their custom 'was to present them a sleeping cup of wine at parting. The 'country people and merchants used to drink largely, the 'gentlemen somewhat more sparingly, yet the very courtiers 'by night meetings, and entertaining any stranger, used to 'drink healths not without excess; and to speak truth with-'out offence, the excess of drinking was then far greater in 'general among the Scots than the English. Myself being 'at the court, invited by some gentlemen to supper, and be-'ing forewarned to fear this excess, would not promise to sup 'with them, but upon condition that my inviter would be my 'protection from large drinking, which I was many times 'forced to invoke, being courteously entertained, and much 'provoked to carousing; and so for that time avoided any

* Morrison's Itinerary, part 3. b. 3. c. 4. p. 155 and 166.

† The same prevails universally in Scotland at this day.

'great intemperance. Remembering this, and having since 'observed, in my conversation at the English court with the 'Scots of the better sort, that they spend great part of the 'night in drinking, not only wine, but even beer; as myself 'cannot accuse them of any great intemperance, so I cannot 'altogether free them from the imputation of excess, where-'with the popular voice chargeth them.

'The husbandmen in Scotland, the servants and almost 'all the country, did wear coarse cloth made at home, of grey 'or sky-colour, and flat blue caps, very broad. The mer-'chants in cities were attired * in English or French cloths 'of pale colour, or mingled black and blue. The gentlemen 'did wear English cloth of silk, or light stuffs, little or no-'thing adorned with silk lace, much less with lace of silver or 'gold. And all followed at this time the French fashion es-'pecially in court. Gentlewomen married did wear close up-'per bodies, after the German manner, with large whale-'bone sleeves, after the French manner, short cloaks like the 'Germans, French hoods, and large falling bands about their 'necks. The unmarried of all sorts did go bare-headed, and 'wear short cloaks with most close linen sleeves on their arms, 'like the virgins of Germany. The inferior sort of citizens' 'wives, and the women of the country, did wear cloaks made 'of a coarse stuff, of two or three colours, in checker work, 'vulgarly called plodan †. To conclude, in general, they 'would not at this time be attired after the English fashion 'in any sort; but the men, especially at court, follow the 'French fashion; and the women, both in court and city, as 'well in cloaks, as naked heads, and close sleeves on the arms, 'and all other garments, follow the fashion of the women in 'Germany.'

As almost every article of dress was of foreign manufacture, which indeed is too much the case at this day, indulgence in splendid attire, in a state that cannot be deemed commercial, was very pernicious. The excessive price of cloaths put it out of the reach of most people to gratify themselves in that species of luxury; yet as there are never wanting those who affect a display of finery, however unsuitable, it was found necessary to restrain ‡ excess in dress by sumptuary laws.—Mournings § were first worn in Scotland upon the death of Magdalene of France, James V.'s Queen; but fans in the ladies hands, and gentlemens || cork-heeled shoes, are mentioned in an early period of Scottish history. Besides these,

* Morrison's Itinerary, part 3. b. 4. c. 3. p. 179. and 180. † i. e. Plaiding, or plaids. ‡ James II. parliament 14. c. 70; James VI. parliament 7. c. 113. § Scott's History of Scotland, p. 344. || Reliques of Ancient Poetry, v. i. p. 80.

the ostrich feather, which waved on the head *, and the roses displayed at the knees and shoes, are numbered among the gaieties of former times.

The table, however, of a Scottish grandee, was undoubtedly superior to what has been already represented. The meats provided for royal entertainments †, in variety were considerable, in quantity were enormous. There were provided for a Christmas dinner at court, for jellies alone, five hundred ox feet, fifteen hundred sheep feet, and thirty-six cocks (for of these ingredients were their jellies composed). As the French fashion was adopted in cloaths, so probably it was in cookery, which, indeed, was by this time introduced into England, where, at entertainments ‡, double courses were regularly served. Besides, it had already been deemed necessary in this country, to restrain the luxury of the table by a sumptuary law, prohibiting || any, under the rank of archbishop or earl, to have at his table more than eight § dishes; of abbot, *lord prior*, or dean, above six; of baron or freeholder, above four; and of burgesses above three. But an exception is made as to entertainments at marriages, and those given to foreigners; in which cases, no restriction is laid upon the entertainer. By this time, also, a delicacy was affected in the choice of the vessels which plenished the side-board; and the custom was introduced of ladies and gentlemen sitting ¶ alternately at table. At an entertainment given by the Earl of Murray to the patriarch of Apulcia, A. D. 1544, the earl, although he had a good store of silver-plate, ordered his cupboard to be furnished with Venetian ** chrystal glasses, and gave his servant instructions to overturn it, as if by accident, in the midst of dinner. The noise of its fall alarmed the company, who expressed their regret for the loss; but the

* James VI. parl. 23. c. 25. See also the coins of James V.

† Compt of the King's household expences, made by the Bishop of Caithness' comptroller, A. D. 1511. MS. General Register-office for Scotland.

‡ Dugdale's origines juridicales, p. 132. and 154. Life of Lord Herbert of Cherbury, p. 5.

|| Holinshed mentions the introduction of baked meats into Scotland, in the reign of James I. that they were considered as intolerable luxury; and, that the archbishop of St Andrews prevailed on the king to allow an act to be passed *in the parliament holden at Perth, A. D.* 1433, circumscribing the use of them. That an old English chronologist should listen to a piece of groundless information, which he had somehow received respecting Scotland, is by no means surprising. But we cannot help expressing our amazement, that Lord Kaims, one of the supreme judges in Scotland, and author of many treatises on law, should have been pleased to adopt this story upon the authority of Holinshed, without giving himself the trouble to consult the Scottish acts of parliament, or *his own abridgement of the statutes*, which would have shown his lordship that no such act ever existed, and, indeed, that *no parliament was held at Perth, A. D.* 1433. Holinshed's Description of England, p. 166. Kaims's Sketches, vol. i. p. 336.

§ Mary, parl. 5. c. 25. A. D. 1551. ¶ Baptism of the prince of Scotland, p. 15. A. D. 1594. ** Holinshed's History of Scotland, p. 334.

earl making no account of it, commanded his servant to fill the side-board anew with glasses still finer; and the patriarch affirmed, that no Venetian glasses could excel them.

If their feeding was less delicate, it was, however, more substantial than that of modern times. Three flesh meals were made in a day. The tables of an English and Scottish nobleman were probably not dissimilar; at least, we are sure, that the Scottish was not the most elegant. Lord and Lady Northumberland had for their own breakfast, A. D. 1512, in time of Lent, 'a loaf of bread * in trenchers, two manchetts, 'a (so their fine loaves were called), a quart of beer, a quart 'a of wine, two pieces of salt fish, six baconed herrings, four 'a white herrings, or a dish of sprotts.' For supper, at which nine servants attended, who had nothing for their supper but the fragments, bread and drink excepted, 'five manchetts, a 'a bottle of beer, a bottle of wine, forty sprotts, two pieces of 'a salt fish, a quarter of salt salmon, two slices of turbot, a dish 'a of flounders, a turbot baken, or a dish of fried smelts.' They had for breakfast, on flesh days, 'a loaf of bread in trenchers, 'a two manchetts, a quart of beer, a quart of wine, half a cheyne 'a of mutton, or else a cheyne of beef boiled.' And on grand festivals, breakfast commonly † consisted of brawn, mustard, and malmsey.

If it be allowable to presume, that the table was conducted in Scotland as in its neighbouring country, dinner, which was served at ten o'clock ‡, was announced by || a flourish of trumpets, or the sound of a horn. At grand feasts, a waxen figure, representing some palace or castle, was set in the middle of the table. At more moderate entertainments, the salt-seller occupied that space, and beside it a stock of bread and trenchers was placed. The table was also supplied with napkins, spoons, and knives; as for forks, they are an invention of a latter date. It was embellished with jellies, disposed into artificial figures § of trees, fruits, or flowers: And the entertainment was enlivened with music; for the minstrels, who made so considerable a figure in England, were not unknown in this country; and, although they were sometimes considered as ¶ instigators of riotous mirth, yet they appear to have been held in considerable estimation. Besides game of all sorts, they numbered among the delicacies ** swans and

* Northumberland household-book, p. 73. 75. and 81. † Dugdale's origines juridicales, p. 155. ‡ To prevent the natural mistake of modern readers, we must inform them, that it was not ten at night, but ten before noon. || Northumberland household-book, p. 433. and 345. Dugdale's origines juridicales, p. 200. 132. 154. § Holinshed's History of England, p. 167. ¶ Balfour's Practics, p. 679. 683. James III. parl. 6. c. 46. Accounts of the Chamberlain of Scotland, A. D. 1329, 1330, 1331, published by Mr Davidson, p. 17. ** Mary, parl. 5. c. 12. King James IV. household-book; Northumberland household-book, p. 107. 104.

cranes; in England also, pheasants and peacocks. At the same time, porpoises and sea-gulls were ostentatiously displayed at royal banquets.

In power and splendor, the sovereign was so little exalted above the great barons, that, till the reign of James VI. no guards attended the royal person. Far from affecting the solitary pomp of modern princes, the Scottish kings lived with their nobles in a state of social intercourse *, more natural, agreeable, and instructive, than those rules which moderan kings have formed to themselves, of secluding, for ever, the possibility of their having a companion or a friend.

In the qualities of the different necessaries of life, a studied gradation was contrived, proportional to the rank of the persons for whom they were intended, which did little honour to the humanity of the times. They had four different kinds of wheaten † bread, the finest called Manchet, the second Cheat, or trencher bread, the third Ravelled, and the fourth, in England, Mescelin, in Scotland, Moahloch. The Revelled was baken up, just as it came from the mill, flour, bran, and all; but in the Mescelin or Mashloch, the flour was almost entirely sifted from it; a portion of rye was mixed with the bran, and this composition was given to poor people and servants. Agreeably to the same invidious œconomy, there were allowed for washing Lord Northumberland's whole body linen for a ‡ year, sixteen shillings; for my Lady's, ten shillings; for Lord Percy's, five shillings; for the younger sons of the family, two and sixpence each; for the gentlemen, attendants on Lord Northumberland, two shillings each. As for those of inferior rank in his Lordship's family, they appear to have had no body-linen at all.

Their lodging, both in respect to houses and furniture, afforded the most wretched accommodation. Froissart introduces a Scotsman speaking in these terms: 'For though

* The following letter in the possession of David Bethune of Calfour, Esq; is a curious illustration of the fact.

Letter by James VI. to the laird of Balfour: 'Right trusty friend, we 'greet you well. Having appointed the baptism of our dearest daughter to 'be here at Halyrood-house, upon Sunday the fifteenth day of April next, 'in such honourable manner as that action craved; we have therefore thought 'good right effectually to request and desire you to send us such offerings and 'presents against that day, *as is best then in season*, and convenient for that 'action, as you regard our honour, and will merit our special thanks. So not 'doubting to find your greater willingness to pleasure us herein, since you 'are to be invited to take part of your own good cheer; we commit you to 'God.' From Halyrood-house this tenth day of February 1598.

Right Trusty Friend the Laird of Balfour, Bethune, Elder. } JAMES R.

† Northumberland household book, p. 14. 74.; Holinshed's description of England, p. 168. ‡ North. house book, p. 350.

'the Englishmen burn * our houses, we care little therefore. 'We shall make them again cheap enough. We are but 'three days to make them again, if we may get four or five 'stakes, and boughs to cover them.' It appears, that, in † the reign of James I. the houses within borough were not above twenty feet high. And, even in the sixteenth century, churches were generally ‡ covered with thatch. The house of a baron, for the most part, consisted of a narrow square tower, with some mean building adjacent. The walls, which were of an immense thickness, the figure of the building, and the choice of situation, all conspire in pointing out the sole idea which regulated the construction of their houses, to have been that of resisting assault. The meanness of their houses did not arise from a want of knowledge in masonry, but from absolute ignorance of every art or refinement in domestic life. The ruins of the castle of William || the Lion are still extant, and appear the remains of a considerable edifice. Upon the top of the fortress, the statue of that Prince was erected, which Gothic neglect, in this present century, suffered to tumble down, and to be broken by the mouldering of the ruins. The abbey of Dunfermline, begun in the eleventh, those of Melross § and Arbroath, and the Cathedral of St Andrews, begun in the twelfth century, display in their ruins the magnificence of their architecture. Besides Edinburgh and Stirling Castles, the kings of Scotland had royal residences at Holyroodhouse, Linlithgow, Falkland, Dunfermline, and Scoon.

As for household furniture, they possessed few things, which, in the present times, could claim to be ranked in a servant's hall. Queen Mary brought with her from France ¶, arras hangings, carpets, and various kinds of household furniture; and it is uncertain if these were known in Scotland at an earlier date; even then they were so rare and valuable, as to be used only upon high ** festivals, after which the hangings were taken from their tenter-hooks, and carefully deposited, till returning christmas. The walls, for the most part, discovered the naked stones; they were sometimes, however, lined with wood, and †† embellished with poetical inscriptions. As for their beds, they have been spoken of already. The only furniture in the hall of a great baron was large standing tables, forms, and cupboards, without locks or keys.

* Froissart, vol. 2. p. 3. ; † James I. parl. 4. c. 73.

‡ Records of privy council, 13th September 1563. || Redcastle between Montrose and Arbroath. § Keith's catalogue of Bishops, p. 246. 250. 254.

¶ Holinshed's Hist. of Scotland, p. 377. ** By the regulations for Lord Northumberland's household, charcoal 'must be purveyed all at once, *for to serve in times of Christmas, next, which is because the smoke of the sea coal would hurt some arras.*' Northumberland house. book p. 21. †† Ibid, p. 453.

They eat mostly out of wooden dishes, which they called *trenplates* *; used wooden or horn spoons, and drank out of wooden cups. To see silver, except in monasteries or cathedrals †, was a miracle; and even pewter-vessels were esteemed so rare and costly, as to be used only upon christmas ‡ and other high festivals. Wretched as these articles were, it would appear that Scotland could not produce them. It behoved these to be purchased in a foreign country. In A. D. 1430, eight dozen of pewter dishes, a hundred dozen of wooden cups ||, a bason and ewer, three saddles, a dozen skins of red leather, five dozen ells of woollen-cloth, and twenty casks of wine, were imported from London for the use of the king of Scots. If their furniture was mean, it was equally scanty; for when a great baron removed from § one of his houses to another, he ¶ found it necessary to carry along with him his beds, hangings, kitchen furniture, &c.

Their manner of living affords us the agreeable reflection of the benefits arising from industry, when applied to arts and sciences, to commerce and agriculture. For now a private gentleman of moderate fortune, is accommodated with much more commodious, elegant, and even rich furniture, and his table is supplied with more elegance, although less profusion, than could have been enjoyed by a lord of the sixteenth century, whose ample fortune, numerous attendants, and affected pomp, resembled more the dignity of an independent sovereign, than the condition of an illustrious subject.

Under the name of taking of *caulpes*, gentlemen of family exercised a very mean species of oppression. The chiefs of clans, from a fiction that those of their name had got their best moveables for their chieftain's defence, or from his bounty, thought that when their namesake was dead, they might** resume those moveables, as being no longer in hands fitted to use them in the chieftain's defence. On this presumption, which by the by, was notoriously false, when any person died, his chief wrested from his executors the best horse, ox, &c. belonging to the deceased; and this with such oppressive violence, that ploughs were frequently stopped, the cattle unyok-

* Northumberland household book, p. 157, 442. Holinshed's description of England, p. 188, 189. † Keith's catalogue of bishops, p. 74, 77.

‡ Northumberland household book, p. 157, 158.

|| Rymer's Foedera, vol. 10. p. 470.

§ Father Hay, a descendant of the family of Roslin, who wrote in the end of the last century, is pleased to furnish the halls at Roslin, in the reign of James I. with embroidered hangings; to serve that illustrious baron in gold and silver plate, and to attire his very numerous attendants in velvet or cloth of gold. After what has been said of the manner of living among the Scottish kings, and the Scottish and English nobility, at a much later period, and after considering the enormous price of cloaths, we have not the smallest hesitation in rejecting this account, as a most extravagant romance. F. Hay's MS. v. 2. p. 33. Advocates' Library.

¶ Northumberland household book, p. 15.

** James IV. Parl. 2. c. 18. James VI. Parl. 22. c. 21.

ed and carried off by those rapacious chieftains. As generally four or five families contended for the chieftainship of every clan, each of them asserted his dignity by robbing his imaginary vassals, to the laying waste of farms, and stopping the culture of the ground. Repeated acts of the legislature were in vain enacted to suppress this mean, yet sanctified robbery.

Of letters they were extremely destitute. As few among the nobility or gentry could write, the use of seals which they appended to deeds, supplied the defect. The scantiness and barbarity of their native tongue occasioned not only the more solemn deeds, but the chamberlain's accounts, and even the household books of the kings to be written in Latin. And at the same time, that some of their historians attained to purity and elegance in that language, they could with admirable facility, when at a loss for a Latin phrase, supply the defect, by bestowing upon an English word a Latin termination. Their histories, although otherwise possessing considerable merit, were every where interspersed with the most extravagant fictions, which could be engendered by credulity and superstition. But they seem to have chiefly valued themselves upon the composition of short quibbling Latin verses, each of which contained a double rhyme *, a monotony extremely disgusting; yet in this their whole wit and merit consisted. The celebrated preceptor of James VI. was the first among them who possessed classical taste or poetic genius. He wisely chose, however, the Latin language for the communication of his ideas. And till the last century, few of their authors ventured to express themselves in English. A few of their ballads remain, of an earlier period, possessing considerable merit; the qualities in which they excelled were the tender and pathetic.

Although universities were established in Scotland in the beginning of the fifteenth century, yet so little were the people disposed to reap the advantages arising from seminaries of education, that at the distance of near a hundred years, it was found necessary to enact, that every baron or freeholder of substance should † put *his eldest son and heir to school*, there to remain till he should require a thorough knowledge in Latin; and afterwards to the study of philosophy and law, that he might be capable to officiate as a judge-ordinary, and to decide justly between man and man.

Printing, of all arts the most conducive to the advantage of literature, which had been invented in the middle, and introduced ‡ into England in the end of the fifteenth century, was

* Out of thousands, the following well known specimen is laid before the reader:

'Ni fallat fatum Scoti quocunque locatum,
'Invenient lapidem regnare tenentur ibidem.'

† James IV. Parl. 5. c. 54. ‡ Ames's Typographical Antiquities, p. 1, 2, 573.

first exercised in Scotland in the beginning of the ensuing; and in the year 1540, the acts of the Scottish* parliament were ordained to be printed. An art which tended to spread facts, and diffuse opinions so widely, soon became an object of jealousy both to church and state. Compositions serious and ironical, poetical and prosaic, having been directed against the old religion, a prohibition was issued against printing, without † royal licence, all ballads ‡, rhymes, *tragedies*, or

* James V. parliament 7. c. 127. † Mary, parliament 5. c. 27.

‡ The following specimen of the ballads which offended Queen Mary, is submitted to the reader:

I.

With hunts up, with hunts up,
It is now perfect day;
Jesus our King is gone a hunting,
Who likes to speed, they may.

II.

An cursed fox lay hid in rocks
This long and many a day,
Devouring sheep, while he might creep,
None might him shape away.

III.

It did him good to lap the blood
Of young and tender lambs;
None could him miss, for all was his,
The young ones with their dams.

IV.

The hunter is Christ, that hunts in haste;
The hounds are Peter and Paul;
The Pope is the fox; Rome is the rocks,
That rubs us on the gall.

V.

That cruel beast, he never ceas'd
By his usurped power,
Under dispense, to get our pence,
Our souls to devour.

VI.

Who could devise such merchandise,
As he had there to sell,
Unless it were proud Lucifer,
The great master of Hell?

other books whatever. The reformed religion being established, the General Assembly, whose censures succeeded in Scotland to the exploded thunder of Rome, took the press under their direction; prohibited all books concerning religion to be printed, till the printers had obtained *, not only licence from the civil magistrate, but also the approbation of the church. And accordingly, a printer having published a book wherein the king was entitled 'Supreme head of the Church,' and a psalm-book with a *baudy song* at the end of it; they ordained the printer to call in all the books he had sold, and to dispose of no more copies till he had cancelled the title page, and the *baudy song*. Although this art was encouraged in its infancy by an exclusive privilege, being by royal patent bestowed on printers, of vending or reprinting for a limited period those † books which they had published, yet the occupation seems to have been by no means profitable; for even the king's printer, who, at that time, was also printer to the church, was in such distressed circumstances, as to be obliged repeatedly to implore ‡ assistance from the church: which at last, on account of his poverty, the great expence he was put to in purchasing types, and his zeal for religion, appointed him a salary of fifty pounds || a-year.

Scotland traded chiefly with the Netherlands. The articles of her export wool, wool-fells, hides, coal, and salted salmon. Of coal indeed, there was little exported; for such was their ignorance in the manner of working coal, and particularly in constructing engines § for drawing of water, that

VII.

He had to sell the Tantonie bell;
And pardons therein was,
Remission * of sins in old sheep skins,
Our souls to bring from grace.

VIII.

With bulls of lead, white wax, and red,
And other whiles with green,
Closed in a box, this used the fox;
Such paultry was never seen.

* Book of the universal Kirk, MS. p. 19. July 27. 1563, p. 90. July 7. 1568.
† Ames, p. 575.
‡ Ames, p. 581. Book of the universal Kirk, p. 112. 8th March, 1569.
|| See B. 3. c. 4.
§ The predecessor of the first Earl of Balcarras having invented an engine for drawing of water, obtained from James VI. the sole privilege of erecting that species of engine for twenty-one years. In this patent, the decay of coal, through the abounding of water in the coal mines, is strongly set forth. Patent by James VI. in archieves of the family of Balcarras.

* Godly and Spiritual Songs, first printed by Andrew Hart, reprinted by Ruddiman and Richardson, A. D. 1765.

a perpetual jealousy of the loss of coal was entertained, the exportation of it discouraged *, and at last totally prohibited. The articles which she imported were innumerable. Among them may † be reckoned iron, lead, haberdasher's ware, horse's furniture, military instruments, nay, even wooden dishes and cart wheels. As for bows, spears, and other military weapons, the importation of them was enjoined by law. In the reign of James V. ‡ cannon were first made in ‖ Scotland, and the maker was liberally rewarded by that prince.

From the situation of Scotland, a knowledge in the ruder arts of navigation behoved to be coeval with its being first inhabited. The vessels of the Caledonians were a species of large open boats, of which the skeleton was of § light wooden timber, ribbed with a texture of smaller pieces of wood, and covered with hides. These were furnished with masts and sails; the sails were expanded hides, which they never furled, and their tackle was composed of leathern thongs. These, however, were laid aside for a cordage composed of twisted rushes; and hence the remnants of a cable are still denominated by our sailors a piece of old junk ¶. It is probable that these rude vessels gradually fell into dissuetude after the Roman invasion, and that our ancestors fashioned their ships after those of the invaders. Still, however, they were occasionally used even in the ninth ** century; and they were frequently of so small a size, that two ox-hides and a half were sufficient for covering a vessel.

In the beginning of the twelfth century navigation †† was so considerable, that a duty on shipping formed a part of the royal revenue. Yet so insufficient were their ships, so unskilful their mariners, at a much later period, that it was impossible to sail in the winter season without the utmost hazard of shipwreck. An old ballad represents the Scottish admiral and his crew ‡‡, as overwhelmed with consternation, upon receiving orders from the king to sail in that tempestuous season. Neither was their fear groundless; for the very next day the vessel was cast away in the Forth, and all on board perished: And it was found necessary to restrain the hardiness of individuals, whom the love of gain tempted to trust their bark to the fury of the waves, by prohibiting vessels from be-

* Mary, parl. 9. c. 84. James VI. parl. 15. c. 253.
† Rymer's Fœdera, v. 10. p. 470. 615. Anderson's Origin of Commerce, v. 1. p. 146. 235. 253. 258. James I. parl. 3. c. 47. Froissart, v. 2. p. 4.
‡ Holinshed's History of Scotland, p. 293.
‖ The cannon which was in Edinburgh Castle bore this inscription:
'Machina sum Scoto Borthuik fabricata Roberto.'
§ Whitaker's History, v. 1. p. 330. ¶ From Juncus, a rush.
** Wareus de Antiquitatibus Hiberniæ, ex Florentio Wigorniensi, p. 84.
†† City Cartulary of Edinburgh, v. 4. box 6. bundle 1. No. 1.
‡‡ Reliques of Ancient Poetry, vol. 1. p. 79.

ing navigated * from the end of October to the beginning of February. James IV. fitted out several large ships, which, from his romantic ideas of chivalry, he dedicated to the service of the queen of France. One of them in particular is † said to have been the largest that had hitherto sailed the seas. It is somewhat remarkable, that there are but three celebrated captains mentioned in Scottish story, Sir Patrick Spence, Sir Andrew Wood, and Andrew Barton, of whom the two first perished in storms, the last in a naval engagement with the English.

The most striking feature in the character of the æra we describe, is that spirit of chivalry which sprung up in the middle ages. It seems to have originated from superstition, and from notions of honour equally romantic in love and war. It claims our attention by its important and immediate effects upon the ages in which it flourished, as well as its remote consequences to their posterity, on whose ideas and manners it has stamped an impression hardly to be eradicated. The more immediate and sensible effects which chivalry produced may be classed under judicial combats, duels, and tournaments. We are aware that this arrangement is liable to exception, and that it may be said that judicial combats were approven in nations and ages where the spirit of chivalry was never diffused. But if they shall not be reckoned a branch of chivalry, they, at least, were strongly abetted by its romantic ideas; we hope, therefore, to be pardoned for this mode of arrangement.

Our ancestors, like most northern nations, strongly addicted to divination, imagined that the ‡ Deity would miraculously interpose in behalf of innocence upon the solemn appeals made to him upon accusations, by trial by judicial combat, or by fire or water ordeal. These modes of trial are established by nearly ‖ our earliest authentic records. The precincts of the royal palace formed the theatre of those martial appeals; the sovereign, with the chief justiciary § and lord high constable, the tribunal. Yet they were sometimes held before judges, commonly ecclesiastics, to whom the king had deputed that branch of jurisdiction. The combatants, armed at all points, entered the lists by sun-rise, and an immense multitude of spectators beheld, in deep silence, the contest for exculpation

* James III. parl. 2. c. 15. James IV. parl. 2. c. 14. James V. parl. 2. c. 25.

† Drummond's History, p. 64. 69. 71. Anderson's Origin of Commerce, v. 1. p. 341. Reliques of Ancient Poetry, v. 1. p. 80.

‡ Dugdale's Orig. Jurid. p. 65.

‖ City Cartulary of Edinburgh, v. 4. box 6. bundle 1. No. 1. A. D. 1128.

§ Quoniam Attachiamenta, c. 74. City Cartulary of Edinburgh, ut supra. Dugdale's Orig. Jurid. p. 77.

and victory. The combatants were sometimes protracted to a very late hour; for if the accused could defend himself till the setting sun, he was deemed innocent, and his accuser branded with infamy. Even in the reign of James V. an instance * occurs of this species of trial being held before the king at Edinburgh.

In England recourse was had to judicial combat in matters of † property, and it still remains a speculative part of the English jurisprudence. This mode of trial also prevailed in Scotland, in civil cases, but in the fourteenth ‡ century, it was restricted solely to crimes. Trials by fire and water ordeal also formed || a part of the barbarous jurisprudence of antiquity, which, like many popular systems, had nothing to recommend them but absurdity. Fire ordeal was undergone by taking up in the hand a piece of red hot iron, of one, two, or three pound weight, and the *burned hand* demonstrated the guilt of the criminal; or by walking blindfolded and barefooted over nine red hot plough-shares laid at equal distances. If the party escaped unhurt, he was deemed innocent; if otherwise, guilty. Water ordeal was performed by plunging the arm in boiling water; the decision as in the former, or by throwing the accused into a pond or river. If he floated without any action of swimming, he was *deemed guilty; if he sunk, innocent.* And hence the custom of ducking those suspected of witchcraft, which continues among the rabble almost to this day.

The origin of private duels from judicial combats is palpable; as in public crimes these were appealed to as decisive between guilt and innocence, so in private insults, an appeal, similar in its warlike spirit and uncertain event, was made for the reparation of injured honour. In the latter stages of the æra we describe, duels not only in Scotland, but all over Europe, flourished in all their absurdity. In this country they had become so frequent §, and upon such trivial occasions, that, although formerly tolerated, it was found necessary to impose on them this restriction, *that they should not be fought without royal licence.* At this time the duellist fought with weapons in each hand; and there are instances of their rushing against each other with such fury ¶, that in the first assault both weapons were plunged in the bodies of each of the antagonists. A French gentleman asking in marriage a young lady, the niece and heiress, from her uncle, met with

* Drummond's Hist. p. 105. † Blackstone's Commentary, v. 3. p. 338.
‡ Reg. Maj. lib. 3. c. 1. 13. chamberlain of Scotland's accomp. append. 2. No. 2. statut. Robert, 3. c. 16.
|| City Cart. of Edinburgh, ut sup. Blackstone's Commentary, v. 4. p. 336, 337.
§ James VI. parliament 16. c. 12. ¶ Wilson's Life of K. James. p. 50.

a rebuff in these terms: 'Friend, it is not time yet to mar-'ry*; I will tell you what you must do; if you will be a 'brave man, you must first kill in single combat two or three 'men, then afterwards marry and engender two or three 'children, *or the world will neither have got nor lost by you.*' Although we may lament the dismal consequences which flowed from this romantic and ferocious spirit of duelling when it flourished in all its extravagance, yet we cannot help observing, that it has been productive of very important and beneficial consequences; as it introduced a politeness and humanity of manners, a jealous watchfulness of honour, which had never hitherto prevailed in any stage of society. A pure virtue, unaffected by passion and incorruptible by interest, although it may be found in an individual in an age, yet it has never been so general in any stage of society as to be productive of material and universal influence. We may, therefore, think ourselves happy by the introduction of honour to its aid; a principle little less meritorious in itself, and when stript of the romantic ideas which were once entertained concerning it, is productive of nearly as many good consequences to society.

The spirit of chivalry displayed itself in their amusements, as well as in their serious transactions. In this country, tournaments † are of great antiquity; they were held in Edinburgh in the reign of William the Lyon, and in those of many of the succeeding princes. The valley or low ground ‡, lying between the wester-road to Leith and the rock at Lochend, was bestowed by James II. on the community of Edinburgh, for the special purpose of holding tournaments, and other martial sports. And those feigned conflicts, emblems of real battle, sometimes ended not without bloodshed.

Tournaments were generally held by royal appointment, and proclamation of them made at court, sometimes also at the courts of foreign princes. Those who tilted, came forth equipped in complete military array; their armorial || bearings depicted on their shields, surcoats, and the caparisons of their horses. The esquires rode before their respective knights; each carrying in the right hand his knight's tilting spear, in the left, his helmet and crest, adorned with silken streamers, the favours bestowed on them by their mistresses; for each knight behoved to have a lady to whose service he was totally devoted, whose patronage he invoked, and whose charms §

* Life of Lord Herbert of Cherbury, p. 64. † Nisbet's Heraldry, p. 3. 7. ‡ Index to the City Cartulary of Edinburgh, v. i. p. 684.

|| Drummond's History, p. 69, 74; Nisbet's Heraldry, p. 8.

§ James IV. professed himself the knight of queen Ann of France. Urged by her, he fitted out large ships, and sent them against his brother-in-law Henry VIII. which occasioned the quarrel that terminated in the fatal battle of Flowden. James's queen dissuading him from that unfortunate

inspired him at the hour of battle, although he had never seen the damsel. The spot allotted for the tournament was inclosed with wooden rails, and the gates formed of high bars; and hence the cheveron and the saltire, the bend, the bar, and the pile, which occur so often in heraldry, are supposed to have taken their rise. When the knights came up to those barriers, they announced their approach by the sound of a trumpet or blast of a horn; upon which the heralds come forth and recorded the names and armorial-bearings of the knights. Then their arms were hung upon a tree, or perhaps upon the barriers, that those competitors for glory might be known to the knights, the judges, and the ladies, whom the heralds obligingly assisted in explaining the arms, and in describing their owners. A knight traversing the field, singled out, from among the different arms, those of the person with whom he wished to combat. And he signified by what weapon he meant to fight, by ringing with one of that sort upon the shield of his antagonist. That each knight might know by whom he was challenged, his servants or pages attended his shield in such fantastical disguises of moors, savages, or monsters, as was agreeable to the fancy of their master; from which the custom of wearing supporters at coats of arms originated. The knights assumed fictitious names; for instance, James IV. sent forth his defiances under the name of *the savage knight*, another under that of *La Sieur de la beautie*. Animated with the sound of bag-pipes, they rushed to those mock rencounters, which, however, were sometimes attended with considerable bloodshed.

After what has been said in the former chapter concerning the rise and progress of reformation, we now, when treating of the religion of our ancestors, mean to confine ourselves chiefly to its forms and ceremonies. Sentiments of religion, when unaccompanied with a spirit of enthusiasm, soon become languid, unless aided by those external and adventitious circumstances of show, times, and forms, which enliven the languishing spirit of devotion; yet reverence for these is commonly termed superstition.

Those ceremonies, except such as are perfectly trivial, have a tendency to excite either cheerful or gloomy ideas, and as such are advantageous or hurtful to mankind. For nothing tends more to sour the temper, to depress our nature and render it abject, than that gloom which the votaries of our religion have so erroneously spread over the system of purity and truth which has been revealed to modern ages.

It has been pretended that the Christian faith was publicly*

expedition, asked him if the letters of the queen of France, *a woman whom he had never seen*, ought to have greater influence with him than the tears of his wife, and the entreaties of his people? Drummond's History, p. 73. 74

* Spottiswood's Hist. p. 2.

embraced in Scotland in the beginning of the third century. Although its doctrines might possibly by that time have been preached in this country *; yet in consistence with truth, they cannot be said to have been generally received, far less publicly established, till a considerably later period. Before that, our ancestors seem to have entertained no conceptions which can properly be called religious. They supposed, however, that the souls of the departed did exist in a state of peaceful † solitude and gloom; and that *in their clouds*, they hovered round and contemplated their friends and posterity on earth. They also formed to themselves ideas of superior beings, which yet were scarcely the objects of their terror, far less of their love. About the end of the third century, the most celebrated of our ancestors ‡ is said to have disputed with a Christian missionary. In the following century, Regulus, a canonized missionary, is supposed to have arrived in Scotland ||, and to have had lands conferred on him in the neighbourhood of St Andrews; where the ruins of a church of great antiquity, bearing his name, are still to be seen.

In the reign of William the Lion, the holiday of Sabbath was ordained to commence on § Saturday by twelve at noon, and thenceforth till Monday, all profane labour was prohibited. This time, however, was set apart for the purposes as well of recreation as of devotion. Butts were enjoined to be erected in the neighbourhood ¶ of churches, and archery to be practised on holidays. Sunday was also the principal day for games and sports, the most of which were so intimately ** connected with religion, that a description of them may not be improper: nay, the theatre which in the canting phrase of modern fanaticism, is styled the temple of the infernal dæmon, originated solely †† from the church. The subjects were scriptural, the clergy the composers, the church was the stage, and Sunday the time of exhibition. Plays, however, were afterwards composed upon profane subjects; were performed in the open air, and frequently ‡‡ exhibited scenes of the grossest indelicacy.

In the dark ages religious spectacles were exhibited, representing in dum show, or perhaps with short speeches intermingled, the most interesting scenes in the history of our Saviour; such as the incarnation, passion, and resurrection; or perhaps the lives and miracles of the saints. These representations, from the mysterious nature of their subjects, acquired ||||

* Macpherson's Dissert. on Ossian, p. 6. 7. Gibbon's Hist. of Roman Empire, p. 512. † Ossian's Works. ‡ Macpherson's Dissert. on Ossian. || Spottiswood's Hist. p. 5. § Balfour's Practicks, p. 683. ¶ James I. parl. 1. c. 18. ** Reliques of ancient poetry, v. 1. p. 130, 141. Northumberland household book, p. 44. Book of the Universal Kirk, p. 145. †† We speak not of the ancient drama. ‡‡ See Appendix, No. I. |||| Reliques of ancient poetry, v. 1. 128. et seq. Don Quixote, part 2. c. 11.

the appellation of *Mysteries*; and in them allegorical personages, such as *Sin*, *Death*, *&c.* were frequently introduced. By degrees, dramatic pieces were formed, consisting entirely of such personifications, and these were entitled *Moral Plays, or Moralities.* These were sometimes of a solemn, sometimes of a humorous nature, approaching nearly to the distinction between tragedy and comedy. In the sixteenth century, moralities were formally divided into acts and scenes, and introduced with a regular prologue: And they appeared under the classical names of Tragedy and Comedy. Some of them were called sacred *comedies*, such as, *The Nativity of our Saviour* *, *The Massacre by Herod, &c.* So early as the fourth century, a dramatic performance, entitled, *Christ Suffering, a Tragedy, or rather Tragi-comedy*, was written in Greek by Gregory of Nazianzen †, Bishop of Constantinople. In the beginning of the twelfth century, a religious spectacle, entitled, *A Mirace Play of St Catharine*, was composed by the ‡ Abbot of St Albans, and acted at Dunstable, which was probably the first exhibition of the kind represented in this island. These representations soon became frequent in England, and it is probable they were soon afterwards introduced into this country. In the beginning of the sixteenth century, they were so common and so popular in Scotland, that it became a proverbial expression, when part of a company were expected, 'Where are || the rest of the players?' And the number of players was so considerable as to § be complained of as a nuisance. In great houses the chaplain was commonly the author of these holy plays, from which they got the appellation of ¶ Clerk's Plays, and the menial servants, or retainers to the family, were the performers. They frequently strolled ** from house to house, particularly at Christmas, the principal season of those festive sports, and received considerable gratuities. Hence may be evidently deduced, the custom still retained in this country, among young people of the lower class, of going, at that season, from house to house, in fantastic †† habits, endeavouring to amuse, by repeating of bombast speeches, and craving some trifling gratuity.

Theatrical representations came not to be restricted to religious subjects; and, when these spectacles ceased to address themselves to the superstitious conceits of the rabble,

* Reliques of Ancient Poetry, v. 1. 372. † Sancti Gregorii Nazianzeni opera, vol. 2. p. 253. ‡ Reliques of Anc. Poet. v. 1. p. 371. || Knox's Hist. p. 15. § Book of Universal Kirk, p. 488. ¶ Ibid. p. 145. ** Northumberland household book, p. 330. Reliques of Anc. Poet. v. 1. p. 139. †† The custom observed by the common people in Scotland, at this hour, of the bride giving to the bridegroom a wedding shirt, is also of great antiquity, and was formerly used among people of rank; Reliques of Ancient Poetry, v. 1. p. 325.

they gratified them in all the indelicacies * which were agreeable to the vulgar appetites of so unpolished a people. Even in the writings of the sublime *Shakespeare*, a low buffoonry runs through them, which could only have arisen from the corrupt taste of the age. But the generality of these performances, which have been consigned to deserved oblivion, and which used to be exhibited before the multitude in the open † air, were full of the grossest indecencies ‡.

In England, theatrical representations continued to be ‖ exhibited in churches, and on the Lord's day, till the end of the sixteenth century. But, in Scotland, the church, soon after the Reformation, prohibited plays to be made § upon any subject in the canonical scriptures; prohibited plays of every sort from being acted on Sunday; and some time afterwards she attempted *altogether* to abolish theatrical representations, and threatened with excommunication ¶ those who should attend them; but was obliged to rescind her threatenings by command of the king.

Besides those theatrical representations, the populace amused themselves with other games, which, either in the source from which they originated, or the end to which they were directed, seem not to have been unconnected with religion. Of these, the chief were the game of *Robin Hood*, and that of the *Abbot of Unreason*.

The celebration of games by the populace, in honour of their deities and heroes, is of the greatest antiquity, and formed the principal part of the Pagan religion. The *Floralia*** of Rome seem to have been continued with our forefathers, after the introduction of Christianity, under the title of *May-games* ††, *King or Queen of May*. As the memory of the original heroes of those games had been long lost, it was extremely natural to substitute a recent favourite ‡‡, in room of an absolute heathen deity. Robin Hood, a bold and popular outlaw, of the twelfth century, by his personal courage, his dextrous management of the bow, and by displaying a species of humanity and generosity in supplying the necessities of the poor with the spoils he had robbed from the wealthy, became the darling of the populace. His atchievements have been

* Manuscript play in possession of David Garrick, Esq. App. No. 1.

† The place where these performances were exhibited, was called the *Play Field*. Few towns of note were without them. That of Edinburgh was at the *Greenside-well*: That of Coupar of Fife was on their Castle-hill.

‡ See Appendix, No. 1. ‖ Reliques of Ancient Poetry, v. 1. 141.

§ Book of Universal Kirk, p. 145, 161. ¶ Spottiswood's History, p. 456.

** Εικων αληθινη, p. 13. †† The custom observed at this day in England, of dancing about May poles, and of carrying through the streets of London pyramids of plate adorned with garlands, undoubtedly originated from the same Pagan institution.

‡‡ Reliques of Ancient Poetry, v. 1. p. 81. Mary, parl. 6. c. 61. A. D. 1555.

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celebrated in innumerable songs and stories. As for the game which has been instituted to his honour, it is not so easy to describe what it was, as how strongly it was the object of popular attachment.

The game of *Robin Hood* was celebrated in the month of May. The populace assembled previous to the celebration of this festival, and chose some respectable * member of the corporation to officiate in the character of *Robin Hood*, and another in that of *Little John*, his squire. Upon the day appointed, which was a Sunday or holiday, the people assembled in military array, and went to some adjoining field, where, either as actors or spectators, the whole inhabitants of the respective towns were convened. In this field they probably amused themselves with a representation of Robin Hood's predatory exploits, or of his encounters with the officers of justice. A learned prelate preaching before Edward VI. observes, that he once came to a town upon a holiday, and gave information on the evening before of his design to preach. But next day when he came to the church, he found the door locked. He tarried half an hour ere the key could be found; and instead of a willing audience, some one told him †, 'This is a busy day with us, we cannot hear you. It is Robin Hood's day. The parish are gone abroad to gather for Robin Hood. I pray you let (i. e. hinder) them not. I was fain, says the bishop, to give place to Robin Hood. I thought my rochet should have been regarded, though I were not; but it would not serve; it was fain to give place to Robin Hood's men.'

As numerous meetings for disorderly mirth are apt to engender tumult, when the minds of the people came to be agitated with religious controversy, it was found necessary to repress the game ‡ of Robin Hood by public statute The populace were by no means willing to relinquish their favourite amusement. Year after year the magistrates of Edinburgh were obliged to exert their authority || in repressing this game—often ineffectually. In the year 1561, the mob were so enraged at being disappointed in *making a Robin Hood*, that they rose in mutiny, seized on the city gates, committed robberies upon strangers; and one of the ring-leaders being condemned by the magistrates to be hanged, the mob forced open the jail, set at liberty the criminal and all the prisoners, and broke in pieces the gibbet erected at the cross for executing the malefactor. They next assaulted the magistrates, who were § sitting in the council-chamber, and who fled to the tolbooth for shelter, where the mob attacked them, batter-

* Council Register. v. 1. p. 30. † Latimer's Sermons, p. 73. A. D. 1550.
‡ Mary, parliament 6. c. 61 A. D. 1555.
|| Council Register, v. 4. p. 430. § Knox's History, p. 270.

ing the doors, and pouring stones through the windows. Application was made to the deacons of the corporations to appease the tumult. Remaining, however, unconcerned spectators, they made this answer: '*They will be magistrates alone; let them rule the multitude alone.*' The magistrates were kept in confinement till they made proclamation be published, offering indemnity to the rioters upon laying down their arms. Still, however, so late as the year 1592, we find the General Assembly complaining of the profanation of the Sabbath, by making * of *Robin Hood plays*.

The abbot of Unreason, is the person who in England was known by the name of abbot of Misrule, and after the Reformation † by that of Lord of Misrule. He presided over Christmas gambols with dictatorial authority; and by an address or epilogue which he made, he closed those scenes of festivity. The abbot of Unreason was also a farcical character in interludes. Under the garb of a dignified clergyman, he entertained a licentious rabble with his absurdities.

Among their more solemn religious ceremonies, may be reckoned the annual commemoration of the dead. As, according to the Romish ritual, the death of our Saviour, and of the saints and martyrs, was annually observed with religious solemnities; and as the prayers of the faithful in behalf of departed souls were presumed to avail at the throne of grace, it became extremely natural to institute an act of worship, which, while it revived the tender, melancholy idea of a departed friend, was believed to operate in his favour as an expiatory sacrifice. This rite ‡ was termed *a funeral mass of requiem*. Upon the eve of the day of celebration, the nearest relation to the deceased kept *Dergen*, a word expressive of the nature of the ceremony, which consisted chiefly in uttering mournful lamentations, and which probably had a similar signification to the word *Dirge*. And on the morrow the mass of requiem was performed. It was held so efficacious towards redeeming the soul from the penalties of sin, that not only were great sums bequeathed to the church for the celebration of those masses, but lands were also bestowed || by the sovereign on civil corporations, for which no other reddendum was exacted, than the annual celebration of a funeral mass for the king's soul, and for those of the departed and succeeding monarchs.

A practice grossly superstitious prevailed in the northern parts of Scotland till the end of the sixteenth century. It

* Book of Universal Kirk, p. 414.

† Northumberland Household Book, p. 344, 441; Dugdale's Orig. Jurid. p. 156. Knox's Hist. p. 115.

‡ Northumberland Household Book, p. 336. 437.

|| Inventory to City Cartulary of Edinburgh, v. 1. p. 33.

fell, indeed, nothing * short of demon worship, and was undoubtedly the remains of paganism. Farmers left a part of their lands perpetually untilled and uncropt; this spot was dedicated to the Devil, and called *the Goodman's croft* †. This monstrous superstition, the church, in A. D. 1594, anxiously exerted herself to abolish. This was not the only instance in which the church testified the extremity of her abhorrence at superstition. The singing of carols at Yule (i. e. Christmas) was prohibited as idolatrous ‡. Funeral sermons and the erecting of grave-stones were discharged as superstitious. Nay, the General Assembly ordered the church of Restalrig to be demolished, as being *a monument of idolatry*.

The benefits derived from abolishing the authority, and eradicating the corruptions of the church of Rome, were not unallayed with temporary disadvantages. Of these the chief may be reckoned, the depriving of an immense multitude of people of their means of subsistence. The popish clergy, whose liberal endowments had enabled them to display their eminent hospitality, were now enrolled on the poors' list, to receive the alms of those || very churches whose stipends they had formerly exacted. It became a matter of conscience with tenants, not to pay rent for the lands which they farmed to those from § whom they derived their possession, if these lands had been bequeathed to them, for what they termed idolatrous purposes. Hence, nuns, and other religious orders, were reduced to the utmost distress. Decayed gentlemen and travellers suffered also in the distresses of the popish clergy. The former found in religious houses an asylum, which relieved their necessities, while it gratified their indolence. And the hospitality ¶ of the church-men gave such a hearty welcome to the nobility and commons, that, when travelling, they seldom lodged any where but in monasteries. In this manner was the store of victuals consumed, which Knox mentions as being laid up for the clergy, when he observes, that upon the monastry of Grey-friars at Perth being demolished and plundered, there was found in it great store ** of bed-clothes, of bed and table-linen, equal in fineness to those used by the first nobility: And that, notwithstanding the advanced season of the year ††, and that there were but eight persons belonging to the convent, there were found eight puncheons of salt beef, with wine, beer, ale, and other victuals in proportion.

* Book of the Universal Kirk, p. 446. † i. e. The landlord's axe.
‡ Book of the Universal Kirk, p. 3. 389. 487. || Ibid. p. 4.
§ Council Register, v. 4. p. 93.
¶ Leslie de reb. gest. Scotorum, p. 310. ** Knox's History, p. 128.
†† 11th May 1559.

Besides the established clergy, which were numerous, each incorporation, at least in Edinburgh, was provided with a chaplain, who performed divine service. The gratuity he received marked the simplicity of the times. Besides a trifling salary, he boarded * with the incorporation; that is to say, he dined with each of the members alternately. These societies, accordingly, by their regulations, bound their members to 'furnish the chaplain his meat orderly, as he should happen to come about to them.'

Although the nobles readily embraced the idea of the reformers, in spoiling the popish clergy of their revenues, they could not be induced, from these liberal appointments, to allow the reformed pastors, whom they behoved to consider as preachers of the gospel of truth, what was sufficient to afford them bare sustenance. Accordingly, they are represented † as living like beggars, as being obliged to keep taverns and ale-houses, in order to their support, which, however, the church quickly prohibited. The number of churches in Scotland, which formerly amounted to nine hundred and twenty-four, besides those in Argyle and the Isles, was now reduced to six hundred ‡; and even in these, when regular appointments were made to the clergy, they were very pitiful, the most of them not equal to the salary of a private gentleman in the horse-guards. Hence, although Knox, and other leaders in the Reformation, were eminent for undaunted spirit, austere morals, a rude species of eloquence, well adapted to the taste and capacity of their hearers, a knowledge of the dead languages, and in polemical divinity; yet many of the clergy were very low and illiterate persons, in so much that the church found it necessary to impose a restriction upon any being received into holy orders who were ignorant of the Latin tongue ||, unless they were found qualified by the General Assembly to discharge the ministerial office, by reason '*of* '*their singular graces and gifts of God.*'

As the use of coal claims our attention, both by reason of its being the most valuable species of fuel hitherto discovered, and also an article of extensive and advantageous commerce, we hope a short digression concerning its introduction will not be considered as impertinent. We enter upon it the more willingly, because we are fully persuaded, that the use of coal was first known in the period we have described, and that the date of its origin may be brought within a very narrow compass, although an author of profound learning and ingenuity

* Seal of cause, Magistrates of Edinburgh to the Incorporation of Bakers, 1552.

† Book of Universal Kirk, p. 24. ‡ Ibid. p. 230. || Ibid. p. 144.

has affected to discover its traces in a much more distant period.

Mr Whitaker presumes, that the use of coal, before the * Roman invasion, was known to the primeval Britons. His arguments are chiefly, that, in the various districts where coal is deposited, the rivulets, in their winding courses, must have washed from their banks innumerable pieces of the shining jetty mineral, the use of which the natives would soon have learned, by the aid of accident, or force of recollection. And that many pieces of coal, coal-cinders, and coal-culm, have within these few years, been discovered under Roman camps and highways. If arguments, such as these, carry any force, it must be derived from the respect due to the name which has condescended to make use of them, not from their own nature, the fallibility of which is palpable. Shall we argue upon the talent of barbarians for observation and discovery, when we find, that, even in polished ages, almost every invention, and many improvements, are indebted for their origin, not to reflection, but accident. Shall we, merely from discovering some pieces of coal, of coal-cinders, or some coal-dust, infer the use of that mineral before the Roman invasion? It appears to us much more reasonable to presume, that an antiquary was mistaken in the genuineness of a Roman encampment; or that, if genuine, the pieces of coal had got thither in some unaccountable manner, than to argue from thence the use of coal at so distant an æra, in opposition to the irresistable load of negative evidence, which fixes its origin at a much later period.

Necessity is said not unaptly to be the mother of invention. Had our remote ancestors known, that a valuable inflammable substance was lodged under ground, the abundance of fuel which wood and turf afforded would naturally prevent them from digging into the bowels of the earth for that with which its surface so amply supplied them. Even when wood became very scarce, at the distance of several centuries after the discovery of coal, the manner † of working it was extremely rude, the progress and extent of the use of it slow and limited. The statutes enacted by the Scottish parliament, and the patents granted by the kings, display their ignorance in working coal, set forth strongly its decay, and guard anxiously its preservation. In the beginning of the sixteenth century, coal-smoke ‡ was deemed very pernicious; and even in the end of it, the use of coal in making ‖ of iron, hardly was known in Scotland.

* Whitaker's History, v. 1. p. 302.

† Mary, parl. 9. c. 84. James VI. parl. 15. c. 253.

‡ Northumberland Household book, p. 21. ‖ Patent by James VI. A. D. 1594. in archieves of the Earl of Balcarras.

If the progress in working of coal was slow, its first discovery was not very remote. Coal certainly was not discovered in the middle of the twelfth, and it was as certainly known in the beginning of the thirteenth century. In the Leges Burgorum, which were enacted * about A. D. 1140, a particular privilege is granted to those who bring fuel into boroughs. Wood, turf, and peats are expressly mentioned; but with respect to coal, there is a dead silence. But in the year 1234, Henry the III. of † England renews a charter which his father had given to the inhabitants of Newcastle; and in this renovated charter he grants, upon their supplication, to the persons in whose favour the charter was conceived, licence to dig coals, upon payment of L.100 a-year, which is the earliest mention made of coal in the island. By the end of the thirteenth century, the use of coal was so much advanced, that it was frequently brought by sea-carriage ‡ from one port to another. But the first mention that is made of coal, in any charter in Scotland, is in a grant executed A. D. 1291, in favour of the abbot and convent of Dunfermline ||, of the privilege of digging coal in the lands of Pittencrieff, in the county of Fife.

These being the earliest intimations we have of coal, Mr Whitaker's hypothesis cannot be embraced without overcoming two obstacles, either of which we apprehend to be absolutely unsurmountable: that a species of fuel so valuable should be known, and that it should afterwards, without any cause assigned, fall into absolute dissuetude, and even all memory of it be extinguished, and thus remain till accident should revive it, at the distance of a thousand years. And that the Romans, who conquered Britain, who so well understood, and so minutely described the state of this island, should never once mention the use of coal, which to them behoved to be entirely new, and therefore curious. Travellers who visited this country at a much later period, when the use of coal was really discovered, did not pass over so singular an article in such unaccountable silence; and surely they will not be said to have excelled the Romans in ingenuity and talent for observation. Æneas Sylvius, who afterwards assumed the purple under the name of Pius the second, visited this island about the middle of the fifteenth century. He relates that he saw in Scotland §, 'The poor people, who in rags begged at the churches, re-'ceive for alms pieces of stone, with which they went away con-'tented. This species of stone, says he, whether with sul-'phur, or whatever inflammable substance it may be impreg-'nated, they burn *in place of wood*, of which their country

* Leg. burg. c. 38. † Anderson's Orig. of Commerce, v. 1. p. 111.
‡ Statut. gildæ. c. 44. || Cartulary of Dunfermline, p. 80. Advocates' Library.
§ Ænei Sylvii opera. p. 443.

'is destitute.' And Boetius, in his description of Scotland, his native country, written in the beginning of the sixteenth century, says, 'There are black stones also digged out of the 'ground, which are very good for firing, and such is their in-'tolerable heat, that they resolve and melt iron, and, there-'fore, are very profitable for smiths and such artificers as deal 'with other metals *; neither are they found any where else '(that I know of) but between the Tay and Tyne, within the 'whole island.'

Upon the whole, as it is utterly unaccountable to suppose, that so valuable a discovery once made, could be totally lost, and even the memory of it forgot, till the discovery of it was revived by accident, at the distance of almost ten centuries; as the Latin authors have observed a profound silence respecting coal; and, as we find those who wrote after its *undoubted* discovery, remarking and describing it particularly, we have little hesitation in fixing the discovery of coal to have been made between the middle of the twelfth, and beginning of the thirteenth centuries.

In China, however, it is probable that coal was discovered long before it was known in the western world. To ascertain the time at which the Chinese made this discovery, as much exceeds the sphere of European literature, as it is difficult for an inhabitant of this quarter of the globe to comprehend, by his knowledge, or reconcile with his prejudices, the antiquity of that vast empire. About the middle of the thirteenth century, a noble Venetian, in his description of China, observes, 'That through the whole province † of Cathay, certain *black* '*stones* are dug out of the mountains, which being put in the 'fire, burn *like wood*, and when kindled they continue burn-'ing a long time; in so much, that, if they are lighted in the 'evening, the fire will keep alive during the whole night. Ma-'ny use *these stones*, although they have plenty of wood, the 'consumption of fuel in stoves being very great.' It is curious to observe the similarity with which Marcus Paulus, Eneas Sylvius, and Boetius, speak of the same matter.

There is nothing which tends to elucidate more clearly the state of a country, with respect to agriculture, manufactures, and commerce, than the prices of provisions; yet we know no subject involved in greater obscurity than an inquiry of this nature, when directed to a remote æra. The difficulties attending it arise partly from the want of materials, that is, the actual nominal rates of provisions, partly from the ordinary reader not knowing the difference in the quantity of bullion itself contained in the nominal pound or shilling some hundred years ago, and our present nominal pound or shilling

* Boetii Scotorum regni descriptio, p. 10.

† Marcus Paulus Venetus, Purchas. Pilgrims, v. 3. p. 88

sterling; but chiefly from the impossibility of determining, with precision, how far the same quantity or weight in gold or silver would go in the different stages of the æra we have described, when compared with the present times. For the price of commodities does not depend solely upon their intrinsic value, and the demand for them; but also, upon the quantity of money circulating, the state of population, and industry: For, as much less money circulated then than at present, so it behoved to go proportionally further; and, as the inhabitants were fewer, with infinitely less industry than in our times; so the same sum behoved, on these accounts, also, to have a proportionably greater influence.

The learned Ruddiman, who has investigated Scottish antiquities with unparalleled knowledge and accuracy, does not venture to assert that money * was coined in Scotland previous † to the reign of Alexander I. or the beginning of the twelfth century. But, if money was not struck in this country at an earlier period, our connection, first with the Romans, and afterwards with the English, behoved to have introduced the circulation of foreign coin. Accordingly, in the beginning of the eleventh century, we find the price of commodities mentioned ‡ in a denomination applicable only to money composed of precious metal. Till the middle of the fourteenth century, the English || and Scottish pounds were similar in weight and purity; that is, they contained about three times the quantity of our present pound Sterling, and thirty-six times that of our pound Scots §.

Mr Hume, when treating of the value of money about the beginning of the æra we have described, supposes ¶ the same quantity of bullion to have gone above thirty-three times farther than at present. We have already observed, that the pound then contained an equal quantity of bullion with three modern Sterling, or thirty-six Scottish pounds. Therefore, according to Mr Hume, when we read of a pound, about seven hundred years ago, we should deem it equal in influence to one hundred Sterling, or three thousand six hundred Scottish pounds. But Mr Whitaker estimates the same quantity of bullion at that period to have been only of twenty ** times greater value than it is now; or, in other words, that the pound was equivalent to sixty pounds Sterling, or two thousand one hundred and sixty pounds Scots. Accordingly, in the very curious table of provisions with which he favours the

* Pref. to Anderson's Dip. Scot. p. 57.

† Gold coin was not struck in Scotland till about the end of the fourteenth century; Pref. to Anderson's Dip. Scot. p. 64. 80. ‡ Leges Malcomi II. c. 2. || Pref. to Anderson's Dip. Scot. p. 61. 81; Fleetwood's Chronicon Pretiosum, p. 41. § See Appendix, No. 2.

¶ Hume's Hist. v. i. p. 244. ** Whitaker's Hist. v. 2. p. 345. 346.

public, in converting the prices into modern money, he multiplies each article sixty fold. But, in the following table, we prefer the manner * of Ruddiman, in his very limited table of the rates of provisions in Scotland, by presenting the reader, in one column, with the nominal sums which the articles truly cost, and, in an opposite column, the sum to which a correspondent quantity of bullion, in modern Scottish money, extends; leaving it to the judgment of the reader to estimate, with Mr Hume, that sum, or quantity of bullion, in the earliest period of our table, as equivalent to thirty-three times, or, with Mr Whitaker, to twenty times the like quantity of bullion at present; and, in the subsequent † periods, to proportionably less, according to his ideas of the increase of money, population, and industry.

In comparing the proportional rate of provisions between ancient and modern times, a very considerable allowance must be made for the article of taxation; for the rates that are presently paid for most articles of provision, are not the real prices at which they could be afforded, nor at which, between subject and subject, they are essentially sold; but are also sums levied for the aid of government, and transmitted from the consumer to the merchant, from the merchant to the various collectors of the public revenue, and from them to the treasury. During the period we have described, particularly in its more remote stages, the exigences of government were small, and the crown lands afforded an ample revenue. But now the case is reversed, the crown-lands are dissipated, the nation groans under a consuming load of debt, and the exigences of government are very great. It has, therefore, become necessary to impose taxes upon almost every article of life, and these are insensibly paid by the consumer, when he thinks he is only giving value for the provisions. Therefore, in comparing the prices of a gallon of wine or ale, a pound of candles, or pair of shoes, in ancient and in modern times, we must reflect, that the prices paid formerly were simply the rates at which commodities could be furnished, almost without any duty to government; whereas now, in many instances, the taxes levied by government exceed the value of the articles upon which they are imposed.

It only remains to explain the reasons which induced us to convert the old into modern Scottish money. Besides the incongruity that appeared in converting old Scottish into modern Sterling money, the prices of many articles are very minute; and, as the same sum contains a scale twelve times larger in farthings, pence, &c. in Scots than in Sterling, it was

* Preface to Anderson's Dip. Scot. p. 82.

† As to the number of nominal pounds in Scotland at different periods in a pound Troy of silver, see Appendix, No. 2.

found much easier to mark the fractions in the species of money which contains the largest scale. Nor will this be attended with much trouble to the English reader; since, when he observes the price of any article in Scottish money, he may reflect, that it is precisely the twelfth part of that sum in sterling; or, that *twelve* pounds Scots are *one* pound Sterling.

A

TABLE

Of the Prices of Provisions in Scotland, in Ancient and Modern Scottish Money, from A. D. 1000, *to A. D.* 1600.

A. D.		Ancient. L.	s.	d.	Modern. L.	s.	d.
1004.	A heifer *	0	2	6	4	10	0
1124.	A sheep †	0	1	4	2	8	0
	Boll of ‡ wheat from 10d. or 1l. 10s. to	0	2	0	3	12	0
	A heifer ‖	0	3	0	5	8	0
	A cow	0	6	0	10	16	0
	A gallon § of wine, Scottish measure	0	0	2	0	6	0
	Do. of beer	0	0	0½	0	1	6
	A pair of ** shoes	0	0	4	0	12	0
1283.	A horse ††	1	0	0	36	0	0
	Carcase of ‡‡ mutton from Easter till Whitsunday	0	1	4	2	8	0
	Do. from Whitsunday to the 25th of July	0	1	0	1	16	0
	Do. from 25th of July to Michaelmas	0	0	10	1	10	0
	Do. from Michaelmas to Easter	0	0	8	1	4	0
1295.	A hen ‖‖	0	0	0½	0	1	6

* Leges Malcomi II. c. 3.
† Reg. Maj. lib. 4. c. 16.
‡ Pref. to Anderson's Dip. Scot. p. 82.
‖ Reg. Maj. lib. 4. c. 31.
§ Pref. to Anderson's Dip. Scot. p. 82.
** Leges Burgorum, c. 121.
†† Statuta Gildæ, c. 18.
‡‡ Ibid. c. 24.
‖‖ Dalrymple's Annals, p. 310.

A.D.		Ancient. L.	s.	d.	Modern. L.	s.	d.
1295.	A gallon * of wine	0	0	4	0	12	0
1328.	A hundred † herrings	0	1	6¾	2	13	6¾
	Forty-four beeves purchased for the wedding of the king's son	29	0	10	687	2	10¼
1329.	A horse ‡ from 5s. or 8l. 11s. 5d. to	0	13	4	22	17	1½
	An ox	0	10	0	17	2	10¼
	A sheep from 14d. or 2l. to	0	2	0	3	8	6¾
	A hog	0	6	8	11	8	6¾
	A porpoise	0	5	0	8	11	5
	A swan	0	6	1	10	8	6¾
	A barrel of sturgeon	3	10	0	120	0	0
	A last of herrings from 3l. 9s. or 118l. 5s. 8½d. to	4	0	0	137	2	10¼
	A thousand hard fish	6	13	4	228	11	5
	A hundred salmon	3	9	0	118	5	8½
	A stone of cheese	0	1	0	1	14	3¼
	A stone of wax	0	4	6	7	14	3¼
	A gallon of honey	0	3	3	5	11	5
	of olive oil	0	3	10½	6	12	10¼
	of vinegar	0	1	0	1	14	3¼
	of verjuice	0	1	7½	2	15	8½
	A barrel of mustard	0	1	3	2	2	10¼
	of apples	0	3	9	6	8	6¾
	A pound of saffron	0	5	0	8	11	5
	of pepper	0	1	2	2	0	0
	of mace, A. D. 1329	0	4	0	6	17	1½
	of ditto, A. D. 1331	0	6	0	10	5	8½
	of ginger, A. D. 1329	0	0	9½	1	7	1½
	of ditto, A. D. 1331	1	0	0	34	5	8½
	A pound of nutmegs	0	4	10½	8	7	1½

* As these accompts are written in barbarous Latin, there is some difficulty in translating the measures, and also some other articles. Lord Hailes seems to think that the *lagena* signified a pint; but it certainly meaned a gallon. The *quarterium*, *quarta*, or *quart*, is frequently mentioned as a component part of the *lagena*. But an article in King James IV.'s household book puts it beyond doubt, that the *lagena* signified a gallon. A quart of milk is therein mentioned at the price of 4d. and 7 *lagena*, 1 *quart* of milk at 9s. 6d. Now, reckoning each lagena to have contained four quarts, the sum paid should have been 9s. 8d. The odd two-pence was probably abated on account of the quantity purchased. Dalrymple's Annals, p. 310. Accompts of the Chamberlain of Scotland, A. D. 1329. Household book of King James IV. A. D. 1511. Bishop Fleetwood also understands the lagena to have contained four quarts. Chronicon Pretiosum, p. 81.

† Chamberlain of Scotland's accompts, for A. D. 1328, in the archieves of his Grace the Duke of Buccleuch.

‡ Accompts of the Chamberlain of Scotland, published by John Davidson, Esq. from the originals in Exchequer, for A. D. 1329, 1330, 1331.

A. D.		Ancient. L.	s.	d.	Modern. L.	s.	d.
	Thirteen loaves of sugar weighing 119lb. at 1s. 9½d. per pound	10	13	8	366	5	8½
	428 of various confections, at 2s. 5d. per pound	44	16	5	1536	14	3¼
	A pound of rice	0	0	1¼	0	3	6¾
	A boll of meal	0	1	7	2	14	3¼
	of barley	0	2	5	4	2	10¼
	of oats	0	0	11	1	11	5
	of white pease	0	2	4	4	0	0
	A cask (dolium) of wine	2	0	2½	68	18	6¾
	Another cask of wine	3	6	8	114	5	8½
	A third cask	4	0	0	137	2	10¼
	A chalder of coals, with the carriage to parliament	0	1	4	2	5	8½
	To the sheriff of Clackmannan for preparing firing	60	0	0	2057	2	10¼
	A yard of woollen cloth dyed	0	6	2½	10	12	10¼
	A yard of linen cloth	0	0	6¾	0	19	3¼
	A yard of tweel	0	0	3½	0	10	0
	of canvas	0	0	1½	0	4	3¼
	of silk	0	5	0	8	11	5
	An ambassador's robe	0	13	4	22	17	1½
	A robe for the king's chaplain	1	0	0	34	5	8
	Ditto for the clerk of the rolls	2	0	0	68	11	5
	A saddle for the Lord Governor's palfrey	5	0	0	171	8	6¾
	Inrailing with iron the tomb of the late king	22	8	2	768	5	8½
	To building the wall between the town and castle of Berwick	20	0	0	685	14	3¼
	To four watchmen in Berwick castle at 3d. or 8s. 6¾d. each per day, for a year's wages	18	4	0	624	0	0
	A year's wages to the keeper of the lion	6	13	4	228	11	5
	Paid by the king to the *minstrels*, or bards, for attending at the coronation	20	0	0	685	14	3½
	Paid to them by the queen on the same occasion	10	0	0	342	17	1½
1424.	A boll of * wheat	0	2	0	1	18	4¾
	of rye, barley, or peas	0	1	4	1	5	7
	of oats	0	0	6	0	9	7

* Pref. to Anderson's Dip. Scot. p. 82.

A. D.		Ancient. L.	s.	d.	Modern. L.	s.	d.
	An ox	0	6	8	6	8	0
	A horse	0	13	4	12	16	0
1478.	Dower * given by the parliament on the marriage of the Princess Margaret, sister of King James III. with Anthony Earl of Fivie, Lord Scales, &c.	13333	6	8	66666	13	4
1489.	A wedder †	0	3	0	0	15	5
	A salted ox	0	15	0	3	17	1½
	A hog	0	8	4	2	2	10¼
1495.	Best wheat ‡ per boll	0	6	8	1	14	3¼
	Second ditto	0	6	0	1	10	10¼
1512.	The carcase § of a grass-fed ox	0	18	0	4	12	6¼
	A boar from 1l. 6s. 8d. or 6l. 17s. 1½d. to	2	5	0	11	11	5
	A hog	0	3	0	2	1	1½
	A pig	0	0	11	0	4	8½
	A stall-fed ox with its hide	3	10	0	18	0	0
	A carcase of mutton, from 4s. or 1l. 0s. 6¾d. to	0	6	0	1	10	10¼
	A lamb at Christmas	0	10	0	2	11	5
	Ditto at Easter, from 1s. 2d. or 6s. to	0	10	0	2	11	5
	A calf at Easter, from 2s. or 10s. 3¼d. to	0	8	0	2	1	1½
	A kid	0	1	2½	0	6	2½
	A fed rabbit	0	2	0	0	10	3¼
	A rabbit from the warren	0	1	6	0	7	8½
	A hare	0	4	6	1	3	1½
	A goose	0	1	0	0	5	1½
	A wild goose	0	2	4	0	12	0
	A crane	0	12	0	3	1	8½
	A pair of muir-fowl, from 1s. or 5s. 1¼d. to	0	2	0	0	10	3¼
	A pair of chickens at Christmas	0	1	0	0	5	1½
	Ditto at Easter	0	0	8	0	3	5
	A fed capon	0	1	5	0	7	3¼

* Minutes of parliament, council, and *checker*, collected by E. Haddington, MS. Advocates' Library, 6th March 1478. Of this sum the estates of parliament paid as follows: the clergy two fifths, the barons two fifths, and the boroughs one fifth.

† Pref. to Anderson's Dip. Scot. p. 82.

‡ Council Register, v. 1. p. 36. A. D. 1495. § King James IV, household book, A. D. 1511, 1512.

A. D.		Ancient. L.	s.	d.	Modern. L.	s.	d.
	Onions *per* pound at Easter	0	0	3	0	1	3½
	A quart of milk	0	0	4	0	1	8½
	Cheese *per* stone	0	4	6	1	3	1½
	Butter *per* stone in the month of July	0	6	0	1	10	10¼
	Sum total of his Majesty's household expence in the month of July, A. D. 1512	532	13	7	2739	9	10¼
1530.	A year's wages * for a cow-herd, *a shirt*, a pair of shoes, and	0	3	0	0	11	3
1532.	Salary of the † whole fifteen judges of the court of session, out of which the president got double that of any other judge	1400	0	0	5250	0	0
1551.	Bourdeaux ‡ wine, if imported by the east sea, *per* pint	0	0	10	0	3	1½
	Ditto by the west sea	0	0	8	0	2	6
	Rochelle wine, if imported by the east sea, *per* pint	0	0	8	0	2	6
	Ditto by the west sea	0	0	6	0	1	10½
	A crane ‖	0	5	0	0	18	9
	A swan	0	5	0	0	18	9
	A hen	0	0	8	0	2	6
	A pig	0	1	6	0	5	7½
	Freight of a boat between Leith and Kinghorn	0	10	0	1	17	6
	For a man and horse crossing in a boat	0	1	0	0	3	9
	For each passenger	0	0	6	0	1	10½
1552.	Carcase § of the best mutton	0	10	0	1	17	6
	Oats *per* boll	0	13	4	2	10	0
	Hay *per* stone	0	0	6	0	1	10½
	Best tallow ¶ candles *per* pound	0	0	9	0	2	9¾
1553.	Butter *per* ** stone	0	8	0	1	10	0
	Cheese *per* ditto	0	4	0	0	15	0
	Eggs *per* dozen	0	0	4	0	1	3

* Knox's Hist. p. 14. † Preface to Anderson's Dip. Scot. p. 82.
‡ Mary parl. c. 5. 11. ‖ Mary parl. 5. c. 21.
§ Council Register, v. 2. p. 7. ¶ Ibid. p. 3. ** Ibid. p. 15.

A. D.		Ancient. L.	s.	d.	Modern. L.	s.	d.
1555.	The 4d. * loaf ordained to weigh 28 oz. when the price of wheat *per* boll is	1	6	8	5	0	0
	Ditto to weigh 24 oz. when wheat is at	1	10	0	5	12	6
	To weigh 22 oz. when at	1	13	4	6	5	0
	20 oz. at	1	16	8	6	17	6
	18 oz. at	2	0	0	7	10	0
	17 oz. at	2	3	4	8	2	6
	16 oz. at	2	6	8	8	15	0
	14 oz. at	2	10	0	9	7	6
	14 oz. when at	2	13	4	10	0	0
1560.	A soldier's pay † and maintenance *per* month	4	0	0	11	1	$6\frac{1}{2}$
1562.	A pair of ‡ double soaled shoes	0	3	8	0	10	$1\frac{1}{4}$
	of single soaled shoes	0	2	8	0	7	$4\frac{1}{2}$
	of boots	1	4	0	3	6	$5\frac{1}{4}$
	Ale *per* ‖ pint	0	0	6	0	0	9
1582.	Stipends of the reformed § clergy over all Scotland. In 100 parishes there were allotted to each of the ministers	400	0	0	600	0	0
	In 200 other parishes	200	0	0	300	0	0
	In another 100 parishes	100	0	0	150	0	0
	In the remaining parishes, in number 100	66	13	4	100	0	0
1584.	A year's salary for a ** private gentleman in the horse-guards	200	0	0	300	0	0
1588.	A year's salary for the †† first minister of Edinburgh	400	0	0	600	0	0
	for the second	333	6	8	500	0	0
	for the third	200	0	0	300	0	0
	for the fourth	40	0	0	60	0	0
1590.	Two ells of Holland ‡‡ for the King, at L. 1 : 10 : 0, or L. 2 : 5 : 0 the ell	3	0	0	4	10	0

* Council Reg. v. 1. p. 26. † Council Reg. v. 3. p. 33.
‡ Council Reg. v. 4. p. 56. ‖ Council Reg. v. 6. p. 214.
§ Book of the universal kirk, or acts of General Assembly, MS. in possession of the Church of Scotland. ** James VI. Parl. 8. c. 137. †† Council Reg. v. 8. p. 189. ‡‡ Compt of his Majesty's apparel, furnished by Robert Joysse, Merchant, Edinburgh, General Register Office for Scotland, A. D. 1590, 1591, 1592.

A. D.		Ancient. L.	s.	d.	Modern. L.	s.	d.
	Two pair of long Naples silk hose at L. 24 : 0 : 0, or 36l. the pair	48	0	0	72	0	0
	A tawny beaver hat lined with taffety	12	0	0	18	0	0
	A string for the hat embroidered with gold and silver	12	0	0	18	0	0
	A black beaver hat lined with velvet	12	0	0	18	0	0
	Six quarters of crape of silk, to be the string to the hat	2	0	0	3	0	0
	An ostrich feather. (This and the six preceding articles for his Majesty's use)	100	0	0	150	0	0

DINNER given at Edinburgh by KING JAMES IV. to the FRENCH AMBASSADOR on Christmas Day, A. D. 1511*.

Festum natalis Domini apud Edinburg Ambaxiatore presente Franciae in prandia, 25th Decem.

A. D.		Ancient. L.	s.	d.	Modern. L.	s.	d.
1511.	Empt. per David Stewart, 6 carcag. mertarum herbalium liberat. Archidecano St. Andreae, pro totidem martis mutuat. ab eodem apud Elgin, mensibus Junii et Julii, pretium picii 18s. L. 5 : 8 : 0	5	8	0	27	15	5
	Item empt. per nuntium 36 porcelli pretium picii 11d. sum. 33s.	1	13	0	8	9	8½
	Item 85 anse pretium picii 12d. sum. pecunie 4l. 5s.	4	5	0	21	17	1½
	Item 13 capones pasti 19s. 6d.	0	19	6	5	0	3¼
	Item 88 capones pret. pic. 8d. ob. sum. 3l. 2s. 6d.	3	2	6	16	1	5
	Item 5 ance campestres, 13s. 6d.	0	13	6	3	9	5
	Item 13 pulli, 6s. 6d.		6	6	1	13	5
	Item 8 cuniculi past. 16s.	0	16	0	4	2	3¼
	Item 25 cuniculi, 37s. 6d.	1	17	6	9	12	10¼

* Compt of the King's household expence made by the Bishop of Caithness Comptroller, A. D. 1511, and 1512, General Reg. Office for Scotland.

A. D.		Ancient L.	s.	d.	Modern. L.	s.	d.
	Item 24 alaudes, 2s.	0	2	0	0	10	3¾
	Item 1 quail, 4d.	0	0	4	0	1	8¾
	Item 9 pluviarii, 8 snipes, varii pretii, sum. 5s. 8d.	0	5	8	1	9	1½
	Item 9 pira salfronii, 6s.	0	6	0	1	10	10¼
	Item 340 poma, 7s.	0	7	0	1	16	0
	Item 7 lagena, 1 quarta lactis, 9s. 6d.	0	9	6	2	8	10¼
	Item 1 agnas	0	10	0	0	11	5
	Item 145 pedes bovine progelaturis ad coquinam regis pret. 13s. 9d.	0	13	9	3	10	8
	Item 400 pedes ovium, 10s.	0	10	0	2	11	5
	Item 9 galli domestici, 6s. 9d.	0	6	9	1	14	8½
	Item 182 pedes bovium pro gelaturis ad coquinam regine, 16s. 10d.	0	16	10	4	6	6¾
	Item 400 pedes ovium, 10s.	0	10	0	2	11	5
	Item 9 galli domestici, 6s. 9d.	0	6	9	1	14	8½
	Item 181 pedes bovine progelaturis coquine familie reges pret. ut. supra						
	Item 700 pedes ovium 17s. 6d.	0	17	6	4	10	0
	Item 18 galli, 13s, 6d.	0	13	6	3	9	5
	Item empt. de. Donaldson—mutton boukis—						
	Item 3 pece cepis——						
	Item de Johanne Paterson de Dunmuir 1 aper, 45s.	2	5	0	11	11	5
	John Paterson item 14 anse campestres pret. picii 2s. 4d. sum. 32s. 6d.	1	12	6	8	7	1½
	Item 12 capones pasti 14s.	0	14	0	3	12	0
	Item per David Stewart 1 aper 28s.	1	8	0	7	4	0
	De offers per Ballentine 1 aper pret. cum carriagio 40s	2	0	0	10	5	8½
	Item 6 hammys per Button 7s.	0	7	0	1	16	0
	Sum L. 42. 17s. 11d.	42	17	11	220	12	1½

His Majesty's Dinner on Easter day, A. D. 1512.

PASCHA.

1512.	Die Dominico * undecimo Arilis 1512 empt. in Glasgua 60 porci varii pretii sumpecuni 23l.	23	0	0	118	5	8½

* King James IV.'s Household Book, supra citat.

A. D.		Ancient. L.	s.	d.	Modern. L.	s.	d.
	Item 1 aper pret. 36s.	1	16	0	9	5	1½
	Item 4 mutton boukis pret. 24s.	1	4	0	6	3	5
	Item 12 agnii 30s.	1	10	0	7	14	3¼
	Item de carriagio hujusmodi de Edinburg versus Linlithgow, 2s	0	2	0	0	10	3¼
	Item 4 boves pasti cum coriis 14l.	14	0	0	72	0	0
	Item 2 apri pret. 53s. 4d.	2	13	4	13	14	3½
	Item 6 carcag. mertarum herbalium pret. 6l. 0 8d.	6	0	8	31	0	6¾
	Item 2 vituli magni 16s.	0	16	0	4	2	3¼
	Item 16 mutton boukis pret. pic. 4s. 8d sum. 3l. 14s. 8d.	3	14	8	19	4	0
	Item 12 agni 20s.	1	0	0	5	2	10¼
	Item 5 edi 6s. 8d.	0	6	8	1	14	3¼
	Item 1 vitulus parvus 2s.	0	2	0	0	10	3¼
	Item 3 mutton boukis pret. pic. 4 sum. 12s.	0	12	0	3	1	8½
	Item 7 agni pret. 11s. 8d.	0	11	8	3	0	0
	Item 1 aper pret. 33s.	1	13	0	8	9	8½
	Item 5 lingue bovini 3s.	0	3	0	0	15	5
	Item 12 lib. cepi.— Three following articles are illegible.						
	Item 1 grus 12s.	0	12	0	3	1	8½
	Item 2 agni 18s.	0	18	0	4	12	6¾
	Item 84 aves morales 42s.	2	2	0	10	16	0
	Item 12 galli nigri 10s.	0	10	0	2	11	5
	Item 6 porci 48s.	2	8	0	12	6	10½
	Item 2 porci 18s.	0	18	0	4	12	6¾
	Item 12 mutton boukis, varii pretti, sum. 3l. 12s.	3	12	0	18	10	3¼
	Item 14 vituli 42s. 8d.	2	2	8	10	19	5
	Item 6 lib. cepi 1s. 6d.	0	1	6	0	7	8½
	Item 16 pedes bovini 2s.	0	2	0	0	10	3¼
	Item 40 pedes ovium 15d.	0	1	3	0	6	5
	Item 26 porcelli pret. cum carriagio 26s.	1	6	0	6	13	8½
	Item 26 capones pasti 37s. 6d.	1	17	6	9	12	10¼
	Item 3 agni 30s.	1	10	0	7	14	3¼
	Item 51 pulli gallinarum 16s. 6d.	0	16	6	4	4	10¼

	Ancient.			Modern.		
	L.	*s.*	*d.*	*L.*	*s.*	*d.*
Item 9 leprones 4s. 6d.	0	4	6	1	3	$1\frac{1}{2}$
Item 1100 ova 19s. 4d.	0	19	4	4	19	5
Item 12 galli nigri 10s.	0	10	0	2	11	5
Item 48 aves morales 48s.	2	8	0	12	6	$10\frac{1}{2}$
Item 73 edi 5l. 3s. 5d.	5	3	5	26	11	$1\,0\frac{1}{4}$
Item 10 petre 8 lib. casei 47s. 6d.	2	7	6	12	4	$3\frac{1}{4}$
Item 8 galli pro gelaturis 6s.	0	6	0	1	10	$10\frac{1}{4}$
Item 92 pedes bovini 15s. 1d.	0	15	1	3	17	$6\frac{3}{4}$
Item 48 pedes ovium 1s. 8d.	0	1	8	0	8	$6\frac{3}{4}$
Item 40 pedes vitulorum 3s.	0	3	0	0	15	5
Item 16 grosse farine 21s 4d.	1	1	4	5	9	$8_{\frac{1}{2}}$
Item 3 *quart lactis* 12d.	0	1	0	0	5	$1\frac{2}{2}$
Item in ordeo 20s.	1	0	0	5	2	$10\frac{2}{4}$
Item 300 poma 6s.	0	6	0	1	10	$10\frac{4}{2}$
Sum L. 102. 8s. 6d.	102	8	6	526	15	$1\frac{4}{2}$

CHAPTER III.

Edinburgh visited by King James VI. and afterwards by Charles I.—Source of the Troubles in the Reign of Charles I.—Tumult in Edinburgh upon reading the Liturgy—Second Tumult—Royal proclamation encountered with a Public Protestation of Disobedience—The Covenant—Marquis of Hamilton comes to Edinburgh as King's Commissioner to the Covenanters, whom he in vain endeavours to appease—Leaves Edinburgh, and returns with new Concessions, which are rejected—A Prophetess—Meeting of the General Assembly at Glasgow, who abolish Episcopacy—Estates of Parliament meet at Edinburgh; their Preparations for war—Seize Edinburgh Castle and Dalkeith House; Fortify Leith.—Their expedients for Raising Money—Marquis of Hamilton arrives in the Forth with a Fleet and Army—King Charles comes to Edinburgh; his timid and ungenerous policy—Scots Army enter England on behalf of the Parliament—Base conduct of the Scots—Charles II. proclaimed King—Marquis of Montrose—English Army under Cromwell, enter Scotland—Charles II. arrives—The Clergy treat him with studied indignities—Battle of Dunbar—City and Castle of Edinburgh taken by Cromwell, who incorporates England, Scotland, and Ireland, into one Commonwealth.

FROM James's accession to the throne of England, Edinburgh remained for a period of thirty-five years in a state of tranquillity, unchequered by any memorable event, if we may not except two visits which she received from her native monarchs. At James's entry, ten thousand Scottish merks were presented in a silver bason*, to render propitious the heart of the king. At Charles's, the Lord Provost, and magistrates, and town-council, in their robes, attended by two hundred and sixty armed † youths ‡, dressed in doublets of white sattin, and black velvet breeches, received the king. And, through streets hung with carpets and tapestry, lined with the trained bands, and decorated with pompous, expensive, and absurd pageantry, they conducted him to the palace. In both their entries, the Sovereigns were received with addresses full of pedantry and servile adulation.

1618.

* Council Reg. v. 12. p. 258. † Ibid. v. 14. p. 190.

‡ King Charles's entry cost the city L.41,489, 7s. Scots; about L.3500 Sterling, Council Reg. v. 14. p. 329.

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This state of tranquillity gave place to very different scenes, for it was the fortune of Edinburgh to give birth to those tumults which were productive of infinite misery to all ranks, and which ended in the destruction of the king, and overthrow of the constitution.

The troubles which sprung up in this island upon the introduction of a new set of religious doctrines, were speedily appeased in England by the rough hand of Henry, whose singular felicity it was to alter the church, without overturning the state. In Scotland it was far otherwise; for there, along with the doctrines of reformation, republican principles were almost universally adopted: And a perpetual struggle between Episcopacy and Presbytery was maintained almost till the Union. James VI. is reported to have said, that 'Monarchy 'and Presbytery agreed as well as God and the Devil.' The unremitted efforts which both he and his successor exerted in favour of Episcopacy, seem to have proceeded from a persuasion of its conformity in worship and in government to the doctrines of the apostles and the fathers, as well as from a conviction that the crown and the mitre were naturally mutual supports to each other. The furious zeal of the Presbyterian Clergy had given James many advantages over them; and, as he possessed a sagacity which overweening pride, or party-spirit, in modern times, will not allow him; he failed not to make use of them to the accomplishment of his favourite object. The bishops and abbots, along with a part of* their ecclesiastical revenues, were allowed to retain their seats in the great council of the nation. In the noon-tide of royal power, he had even established his supremacy over the church. He had appointed a habit for churchmen. Nay, after much intriguing, and anxious attention to the critical moment of advantage, he introduced those important points, 'Kneeling at 'the sacrament, administration of private communion, and 'of private baptism, confirmation, and the observing of Christ-'mas and Easter holidays.' What remained towards the complete establishment of Episcopacy, but an introduction of the Liturgy? This James had often meditated; but it was left to his less prudent successor to attempt. It was no time for Charles, already involved in disputes about prerogative in one part of his dominions, to aim at innovation, in the religious worship of another. But, although the people were undoubtedly averse from Episcopacy; although this aversion was fomented by the harangues of their preachers; yet the religious tenets of the people, and the offence which they sustained, were not the *cause*, but the *engine* of those troubles which dis-

* Baker's Chronicle, p. 452. James VI. parl. 8. c. 129. parl. 20. c. 8. parl. 23. c. 21.

tracted the nation during this period of our history, which, indeed, may be termed 'the empire of fanaticism and hypocrisy, of tyranny and rebellion.'

Our conceptions of the Deity are so imperfect, our notions of the mode of appeasing divine wrath so preposterous, that actions in themselves totally indifferent have been supposed the most efficacious mode of obtaining the divine grace, or the most infallible grounds of attracting Almighty resentment: Nay, by stepping somewhat further in the same line, the grossest violations of moral duty have been supposed the most acceptable sacrifices at the divine altar. Hence the corruptions of religion have excited the most violent disorders that have convulsed civil society; and, consequently, men of deep design, and profligate principles, veiled under apparent sanctity, are capable to inflame and to direct to the most desperate purposes, the religious passions of the multitude.

It has been already observed, that the desire of the nobles to seize upon the ample revenues of the church, considerably assisted the progress and establishment of the reformation. During the minority of James, those powerful barons who placed the crown upon his infant brow, appropriated to themselves those lands which had belonged to the church. But, upon James's maturity, and being firmly established in his government the church-lands, then possessed by the impropriators, or *lords of erection*, as they were called, were annexed to the crown upon the most solid principles * of law and justice: For as by the abolition of popery, the church-lands became vacant, they naturally acceded to the king, according to the maxim, '*Quod nullius est, cedit domino Regi.*' And this was the more equitable, as the patrimonies of the church had originally been dilapidations from the royal revenue. At the same time, an act † was passed, revoking all grants made in prejudice of the crown, during James's minority. Still, however, this act was not put in execution, and the nobles made shift to retain their ill acquired possessions.

The impropriators used these possessions, in such a manner as to load the country with manifold oppression. The servile dependance in which vassals were subjected by their lords, was rendered still more abject, by these superiors having arrogated to themselves the possession of the ecclesiastical revenues. For, in collecting the tithes, they did not gather them when it was suitable for the occupiers of the ground; but would perversely forbear to separate the tithe from the ‡ stock, observing no other rule than their own caprice, often

* James VI. parl. 11. c. 29. † James VI. parl 1. 1. c. 31.
‡ King's Declaration, p. 7. Baker's Chronicle, p. 452.

to the entire destruction of the crop after it was reaped; and thereby subjecting their vassals to the most implicit and dangerous submission. Out of these tithes also, the impropriators would not pay to the clergy a sufficient, nor even any *fixed* stipend; but allowed them only a miserable pittance, and that dependent on their pleasure. Thus were those zealous champions for the purity of religion reducing the sacerdotal order to poverty and contempt, and subjecting all ranks to a servile dependence on themselves, thereby concentrating the power of the nation in a turbulent and tyrannical aristocracy.

Charles attempted to remedy evils of so dangerous a tendency; but he met an opposition which, unhappily coinciding with his disputes in England with the House of Commons, involved both him and the nation in ruin. He passed an act, revoking all alienations of the lands, or * other patrimonies of the crown, made by himself and his predecessors. This statute, however, remained but *the dead letter of the law.* Charles had not strength to put it in execution; and it served only to awaken suspicions, and excite umbrage in those against whom it was directed, without being of the smallest real service to the crown. He, at the same time, appointed a *commission of surrenders*, as it was termed. This was a † commission passed under the great seal, appointing a number of noblemen and gentlemen, both of those who paid tithes, and those to whom they were due, commissioners for rendering the superiorities to the king, to be retaken from him, upon the payment of a certain sum, as redemption-money; as also for relieving the owners of the ground, by impowering them to buy the tithes, at so many years purchase as should be agreed on by buyers and sellers; and to settle a decent and fixed provision upon the clergy. Charles received sincere applause for having accomplished purposes so beneficial to the landholders, the clergy, and even the crown itself, and so conducive to the interests of peace and freedom. The landholders acknowledged him as their deliverer from intolerable bondage. The clergy celebrated him as the very father and founder of their churches. The haughty nobles alone murmured in secret at their diminished influence; and repining at the power and favour which the ecclesiastics enjoyed, who, indeed, held the first places under the crown, they resolved to seize the first occasion of embroiling the measures of the court.

An opportunity was not long wanting. The canons for appointing the ecclesiastical jurisdiction had already been established. They contained the absurdity of recom-

1635.

* Charles I. parl. 1. c. 9. † King's Declaration, p. 7. et seq.

mending and enforcing the use of the Liturgy, while the Liturgy itself was not yet composed. But after it was composed, and had been revised, altered, corrected, &c. by the pious Charles and by Laud, it was judged a most excellent form of worship. Indeed, those zealous members of the Church of England *, showed so laudable a desire of conformity with her elder sister of Rome, that the alterations in this Liturgy from the English Service-book, approached more nearly to popish tenets. Easter-day was appointed, by solemn proclamation, for the introduction of the Liturgy; but, for the better judging of the people's dispositions towards it, it was delayed till the 23d of July; and, on the Sunday preceding, the intended use of it was announced from the pulpit, in all the churches of Edinburgh. Still few indications of popular disgust appeared; nor was it much expected. The people were by no means strangers to the English Service-book. It had been read for twenty years in the royal chapel of Holyroodhouse, which was then the parish church of the Canongate, and was frequented by people of all ranks. It had also of late been used in some of the cathedral churches, and in the divinity college of St Andrews, without disturbance, or even the appearance of disgust. And when the King was last in Scotland, it was publicly read in all the churches to which he resorted. Nay, on the Sunday of its intimation, the Service-book was highly extolled from the pulpit by some of those clergymen who were afterwards the foremost in embracing the Covenant, and in railing against the Liturgy most bitterly.

1637.

On Sunday the 23d of July, agreeably to the previous intimation, the Service-book was begun to be read at Edinburgh in St Giles's church. Both the archbishops, a number of the privy counsellors, the lords of session, the magistrates of Edinburgh, besides a great concourse of people of inferior rank, were assembled. Among this multitude, not a murmur was heard till the Dean of Edinburgh, arrayed in his surplice, opened the Service-book. Instantly a tumult arose; *Out* (cries an old woman), *out, thou false thief, dost thou say the mass at my lug* †*?*' But the clapping of hands, the hisses, the curses and exclamations which immediately followed, rendered every sentence, or attempt at speech, unintelligible. The bishop of Edinburgh, with a view to appease the tumult, ascended the pulpit; but, had not a friendly hand averted the stool which was thrown at his head, that member of the episcopal order would have been silenced for ever. The archbishop of St Andrews, Lord Chancellor,

July 23. 1637.

* Baker's Chronicle, p. 458. King's Declaration, p. 22. et seq. Hume's History, v. 6. p. 260. 262.

† i. e. Ear.

attempted in vain to quell the uproar. At last the magistrates, descending from their seats, partly by flattery, by menaces, and by force, got the unruly part of the audience thrust out of the church. After which the Dean proceeded in the service; but still their devotion was disturbed by the rude multitude without, who, by raising loud clamours, rapping at the church doors, and throwing stones through the windows, attempted to interrupt the service; and when the congregation was dismissed, the bishop was beset by the rabble, and had well nigh fallen a sacrifice to popular fury. In the church adjoining, the Liturgy was received with less uproar; but not without obvious marks of disapprobation. In the Grayfriars, it behoved the service to be given up; but the minister of the College Church forbore to begin the worship till he learned the reception of the Liturgy in the neighbouring churches, when he wisely preferred the old extempore form, notwithstanding his engagement to the contrary.

Between sermons, a meeting of the privy council was held, at which the Lord Provost and magistrates assisted; and as they engaged to exert their utmost endeavours to maintain decorum, the use of the Liturgy was again attempted in the afternoon, and it was read in some of the churches without much disturbance. Still, however, an unruly multitude rambled through the streets; and public worship being over, the bishop of Edinburgh going home with lord privy seal in his coach, they were attacked by the rabble, pelted with stones *, and although the coach was driven at full gallop, his lordship's footmen gladly betook to their drawn swords to repel the fury of their assaults.

Next morning a meeting of the privy council was held, at which the magistrates of Edinburgh attending, expressed their detestation of the late uproar, and their desire to seize the ringleaders †, and bring them to punishment. To encourage the ministers to read the Liturgy, they voluntarily enacted themselves to indemnify the clergy, if, in the execution of their duty, they should suffer harm from the outrage of the populace. They also wrote two submissive letters to Archbishop Laud, expressing their contrition for the tumult, and their alacrity to concur in any measures for establishing the Service-Book.

As no new day was immediately re-appointed for the reading of the liturgy, and as the conclusion of the term, and the approaching harvest, made it ‡ requisite for the generality of people to superintend their country affairs, no disturbance happened for some time, and the late tumult was thought to

* This memorable day was afterwards distinguished in Edinburgh by the appellation of *Stoney Sunday*. Peck's Desiderata Curiosa, lib. 2. p. 50.

† King's Dec. p. 26. et seq. ‡ King's Dec. p. 31.

have entirely subsided. But two of the ministers of Edinburgh, who had been suspended for not reading the Service-Book on the 23d of July, began to practise upon the people. Loud murmurs against the Liturgy were echoed through the city; and when they reflected that the late violent opposition to it had arisen from the very dregs of the populace, the story of Balaam's ass occurring to their imagination, made them admire the finger of the Lord as opening the mouths of the simple to testify against such gross superstition. A petition from the magistrates and inhabitants, as well as from the suspended ministers *, was presented to the privy council, praying that the use of the liturgy might not be insisted on; and the harvest being mostly over, a great concourse of all ranks flocked to Edinburgh, and manifested such a spirit of sedition, that there was reason to apprehend an immediate insurrection.

As the privy council had been summoned in order to treat of ecclesiastic affairs, to appease the people, a royal proclamation was issued, discharging the privy council, at that time, from proceeding on the affairs of the church; and the multitude were required to disperse themselves, and to repair peaceably to their dwellings. But to this part of the proclamation no obedience was paid. Next day, as the Bishop of Galloway was passing along the streets, he was beset by the populace, who, first hooting at him with wild clamours and execrations, afterwards opposed him in his passage to the chamber where the privy council was sitting. Thither he at last, with much difficulty, arrived; but, instead of meeting † there with a secure asylum, he found himself and the other privy counsellors besieged by a furious rabble. The Lords of the privy council sent to the Magistrates, requesting their assistance. But the Magistrates stood in need of assistance as much as themselves; for the disorderly rout which besieged the privy counsellors, and patroled the streets, had also surrounded the town council-chamber where the magistrates were sitting; nay, even thronged into it, and vowed their immediate destruction, if they would not instantly subscribe a petition against the Service-Book, and replace the suspended ministers. The Earl of Traquair, Lord Treasurer, thinking the condition of the magistrates more desperate than his own, went to their assistance from the privy council, where he was then sitting. But the rabble assailed him with such wild outcries, as predicted more forcible outrage. On all quarters there were resounded, "God defend those who will defend God's cause; and God confound the Service-Book,

Oct. 17.

Oct. 18.

* King's Dec. p. 32. Baker's Chronicle, p. 459.
† King's Declar. p. 35. et seq; Rushworth's Coll. vol. 2. p. 403.

"and all its maintainers." Instantly the mob assaulted the Treasurer, pulled off his hat and cloak, broke in pieces the white rod which he bore as the badge of his office, threw him down on the street, and, had he not instantly been raised by his attendants, who conveyed him back to the privy council, would undoubtedly have trodden him to death. As for the Magistrates, they as well as the Lords of the privy council, remained besieged in their separate chambers, till, by the interposition of some popular Lords, they were rescued from the fury of the populace.

The tumult being somewhat appeased, in the afternoon a proclamation was issued, discharging all public convocations, and also private meetings, tending to sedition. But it met with so little respect, that public deputies from the people on the next morning presented two petitions, one in the name of the *men, women, children and servants*, inhabitants of Edinburgh, against the Service Book; another in that of the nobility, gentry, ministers, and burgesses, against both the Service Book and the Book of Canons. After this the privy council discontinued to meet at Edinburgh. The term, which had already been removed to Linlithgow, was ordered thence to Stirling, that it might be still farther from the seditious capital: And, to repress tumultuous proceedings, Charles again had recourse to the feeble authority of a proclamation. But his orders, which hitherto were treated with heedless contempt, now met with direct disobedience. He experienced, for the first time, an act of deliberate rebellion, and that by persons of high rank: For, when he published a proclamation at Stirling, pardoning past offences, and enjoining peaceable behaviour, it was encountered by the Earl of Hume, Lord Lindsay, and great numbers of an inferior rank, by a public protestation, in which, after setting forth their pretended grievances, they protested, that they should not be liable to any penalties or forfeitures for disobeying any orders or proclamations in favour of the Book of Canons, or Liturgy; and that they should not be answerable for any consequences which might happen upon enforcing these innovations. Wherever the king's proclamation was published, it was met by a counter-protest; and a regular combination was formed to oppose the established government. The great multitude of people who assembled at Edinburgh, disposed themselves into different classes, conform to their ranks. These were called TABLES; and from each of these respective tables certain commissioners were elected, who composed a general Table which revised the deliberations of the inferior ones, and issued orders that every where met with implicit obedience.

Feb. 19. 1639.

Upon the murder of the Earl of Darnley, an association had

been formed for revenging his death, and for defending the infant Prince. The murmurs which arose among the Protestants at the favour which the Duke of Lennox, a papist, enjoyed with James VI. occasioned an association to be formed, A. D. 1580, for renouncing the * errors of popery †. These, and perhaps also a recollection of the furious effects produced in France by the *Holy League*, for extirpating the Protestant religion, suggested to the Tables the idea of framing *a covenant*.

This covenant consisted of a renunciation of popery, expressed in all that virulence of invective which was calculated to inflame the minds of people who did not understand the nature of what they were renouncing, yet could comprehend the infamy of the epithets applied to the object renounced. To this there followed a bond, obliging the subscribers to resist all religious innovations, and to defend each other against every opposition whatever; and all this for the glory of God, and the advantage of their king and country; the whole concluding ‡ with invoking the most tremendous imprecations upon such as should desert the covenant. The people being assembled for the purpose, in the Grayfriars church-yard, the Covenant was solemnly read aloud to them. All ranks and conditions, all ages and sexes, flocked to subscribe it §, with that ardour, as if they believed the insertion of their names in this parchment scroll did virtually inrol them in the book of life. The desire towards the covenant did not so much originate like a disease springing from the unsoundness of the individual, as from the influence of powerful contagion. Few, in their habits, were disposed to resist it. Fewer still durst avow their disinclination towards it; and, if any were so hardy, they were compelled, by menaces, and by various injuries, to embrace it, or otherwise were turned out of their pastoral cures, or other offices which they enjoyed.

Charles, not a little alarmed at a combination so general and so violent, appointed the Marquis of Hamilton his high commissioner, with ample powers to treat with the covenan-

* Council Register, v. 4. p. 193; Spottiswood's History, p. 309; Sully's Mem. lib. 1.; King's Dec. p. 40.

† This was called the *negative confession of faith*, in opposition to the positive one, ascertaining the protestant doctrines established A. D. 1567; James VI. parl. 1. c. 4; Baker's Chronicle, p. 460.

‡ King's Dec. from p. 57, to p. 66; Maitland's History, p. 80; Baker's Chron. p. 461; Guthrie's Memoirs, p. 30.

§ The original copy of the Covenant is written on a skin of parchment four feet long, and three feet eight inches deep. It is so crowded with names on both sides, that there is not the smallest space left. Some were so zealous as to add to their subscriptions, '*till death.*' And when there was no longer room for subscribing at length, the eager votaries of the covenant filled the margin of the deed with their initials. Copies of it were sent from Edinburgh, and subscribed over all the kingdom.

ters. No sooner did the leaders of the covenant hear of Charles's peaceable intentions, than they exerted their ingenuity to prevent an accommodation. The pulpits rung with the insidiousness of Charles's designs. It was recommended to the people to avoid treaties, as snares for their destruction. All the terrors were hung out to them, of incurring the guilt of perjury, if they should abate one jot of their covenanted engagements, or if they should adopt measures without the approbation of the whole. And, least the pulpit should not convey these exhortations fast enough, inflammatory resolutions, to the same tendency, were, with infinite dispatch, circulated all over the kingdom. As if in times of the most imminent danger, new committees were appointed, the provision of arms was increased, and all communication between the castle and the city cut off by a strong guard.

Upon the Marquis of Hamilton's approach, *the tables* discharged all the members of the covenant from waiting upon him. By this time, there was upwards of sixty thousand people tumultuously assembled at Edinburgh; and the Commissioner *, thinking it neither safe nor honourable to come there, took up his residence at Dalkeith. His Grace was intreated, by deputies from the city of Edinburgh, to lodge at Holyrood-house. This he agreed to, on the deputies becoming bound for the peaceable behaviour of the citizens, and for taking off the blockade from the Castle. He set out accordingly from Dalkeith, accompanied by the Lords of the privy-council, and such of the nobility and gentry as were well affected to his cause. Ere he was † half way, he was met by the whole body of nobility and gentry Covenanters, who had assembled at Edinburgh, on horseback, and behind them, by the ministers and the commonality, on foot, making an ostentatious display of their power and numbers. As he rode along one of the ministers offered to entertain his Grace with *a speech;* but, being well acquainted with the nature of their harangues, he declined the compliment.

The Commissioner then opened to the Covenanters his main propositions, which were, 'I*mo*, To be informed what they 'expected from the king, in satisfaction for their complaints; '2*do*, That, on their part, they should return to their ‡ o-'bedience, and renounce the covenant.' To these they replied, 'That all they demanded from the king, was his in-'dicting a general assembly and parliament: that, as to what 'was desired of them, it was absurd to require people to re-

* King's Dec. p. 82. et seq; Hume's Hist. v. 6. p. 367.

† The distance from Dalkeith to Edinburgh is six English miles. But the Commissioner did not come by what is now the direct road, but by Inveresk; and the multitude were drawn up on Musselburgh sands.

‡ King's Dec. p. 87.; Baker's Chron. p. 461.

'turn to their obedience who had never departed from it; and 'as for renouncing the covenant, they would sooner renounce 'their baptism than abate one syllable of it.' Nay, they invited the commissioner himself to subscribe it, informing him, 'With what peace and comfort it had filled the hearts of all 'God's people; what resolutions, and beginnings of reformation of manners were sensibly perceived in all parts of the 'nation above * any measure they had even before found, or 'could have expected; how great glory the Lord had received thereby; and what confidence they had, that God would 'make Scotland a blessed kingdom.'

In the mean time, zeal against the Liturgy rose to an unexampled fury. Even at the Reformation, the mob, with difficulty, were prevailed upon to allow Mary the exercise of her worship. But now, although the English service had been read in the chapel of Holyrood-house for twenty years, the people understanding, that on the next Sunday, as usual, it was to be read before the Commissioner, they sent him notice, that if it should be used there any more, the clergyman who officiated should infallibly be put to death.

It was vain to treat with, and not very safe to reside among people in such a frame of mind. The Commissioner returned to London; made another fruitless journey to Edinburgh with new concessions; went back a second time to London, and returned with concessions the most ample and satisfactory which could be given to their repeated and rising demands, and which were rejected in such a manner as evidently to show, that those seditious Covenanters neither wished to be satisfied, nor would admit of satisfaction; and that they aimed at nothing else than engrossing the whole power of the nation, by the destruction of royal authority.

Charles, perceiving the dangerous tendency of such a bond of union as the Covenant, without sanction of public authority, nay, expressly contrary to law, wished to substitute in its place a bond of union, which, while it consisted of the same violent renunciation of popery with the other, at the same time expressed more duty and loyalty to the king. He, accordingly, drew up a covenant, pretty much the same with that subscribed by the late king in the year 1580, and afterwards by all ranks of people. This he required to be subscribed; but as the Covenanters perceived it was meant to weaken and divide them, they resolved that no obedience should be paid to it. He at the same time, by his royal proclamation, discharged the use of the service book, book of canons, and high commission; and rescinded all deeds whatever that had been made for establishing them. He also discharged the urging the five

* King's Dec. p. 88.

articles of Perth * ; and at the same time, indicted a General Assembly and Parliament. Thus did Charles yield to all their demands ; and by summoning a General Assembly and Parliament, in both which, as the Covenanters were sure to predominate, he, in effect, left them to settle every thing at their pleasure, but to no purpose whatever ; for when his majesty's proclamation, publishing those gracious indulgences, was read, it also was encountered with a horrible protest, full of the most captious quibbling at the proclamation, and Jesuitical attempts to misconstrue its meaning, and blast its effect ; the whole couched in dictates of the most hypocritical sanctity.

The indiction, however, of a General Assembly and Parliament, could not fail to be agreeable to the Covenanters, although they churlishly forbore to acknowledge their satisfaction. They set about modelling the election of members for the ensuing assembly, in such a manner, that none but the most rigid of their party should be chosen. They perceived in the clergy a spirit of moderation, by no means † likely to second their furious designs. On his majesty's late proclamation, discharging the Service Book, &c. the ministers of Glasgow, in a body, wrote a solemn letter of thanks to the commissioner, 'for the proclamation, which was re-
Sept. 24. 'ceived with acclamations universally joyful : That 'they praised God for inspiring their dread sovereign with 'such wisdom, piety, clemency, and fatherly care of the church 'and commonwealth, as is abundantly manifested in the said 'proclamation ; so they would gladly testify, by every means 'in their power, their thankfulness to his majesty, "*their* "*crown of rejoicing, and the breath of their nostrils.*"' And the interested, or hot brained leaders of the covenant, plainly saw that all their misrepresentations would not avail, without the influence of an undue election. Before the establishment of Prelacy, the laick and ecclesiastical members in the General Assembly were nearly equal. James, apprehensive of zeal in the laity, had deprived them of their seats ; these *the tables*, who assumed to themselves a supreme power, restored. They also issued an edict, ordaining, that from every parish, a lay-elder ‡, as well as the minister, should attend the presbytery, and give his voice in the election, both of the commissioners and ministers, who should be deputed to the assembly. Thus the number of ministers and elders, composing a presbytery, being equal, as it was not customary for the ministers, named as candidates, to claim a vote, the election, by that means, fell entirely into the hands of the laity. *The tables* fell upon

* He had not power to abolish the articles themselves, as they were established both by General Assembly and by Parliament.

† King's Dec. p. 184, 186, 188. ‡ King's Dec. p. 189, 191, 283.

another device, which rendered the election a mere farce, and showed how little an assembly, chosen by the unrestrained suffrages of the electors, would have answered their purposes. They themselves nominated the whole members for the ensuing assembly. And, in their private instructions, they ordained, that the commissioner of the shire should, on the day before the election, administer an oath to the elders, that they should vote for none to be member of assembly, but such as were already nominated by *the tables*. If, after all these precautions, any malignant members should happen to be introduced, they had an easy way of setting him aside; and this was by libelling him before that assembly *, as guilty of some offence, no matter how void of truth, or even of probability; for, by their constitutions, if any member was accused before the ecclesiastical courts, he could not claim a vote till he had cleared himself of the accusation. They accordingly rid themselves of the prelates in a very summary manner. They accused the two archbishops, and the whole bishops of Scotland, as guilty, each of them respectively, of 'excessive drinking, 'whoring, gaming, profanation of the Sabbath, contempt of 'public ordinances, and family-worship, mocking at preach-'ing, prayer, and spiritual conference; as also of bribery, si-'mony, dishonesty, perjury, oppression, adultery, and incest.' For the better publication of this modest libel, it was read in all the churches of Edinburgh, immediately after the celebration of the communion; and the day being far spent, the thanksgivings and prayers usual after that religious ordinance were omitted, to make way for this pious proclamation. Yet, so conscious were they of the infamy of their accusation, that, when the assembly was held, they did not attempt to prove † a libel, which in itself, was so palpable a mockery of piety, morality, and truth.

That no device might be omitted for practising upon the passions of the vulgar, the Covenanters called to their aid a *prophetess*. This was one Mitchelson, a clergyman's daughter, who was subject to hysterical disorders, and being tainted with the religious prejudices of the times, she used to pour forth wild incoherent rhapsodies, which, as they were accompanied with hysterical motions, and violent contortions of feature, produced the more sensible effect upon the spectators, who were lost in fear and in wonder, while they deemed her frantic gestures and exclamations the immediate impulse of su-

* King's Dec. p. 207, 218, 225.

† Yet one of their slanderous preachers, who was deemed a saint among them, whose writings are a composition of hypocrisy, calumny, obscenity, and nonsense, not to add blasphemy, impudently accuses the most learned and pious prelate that ever sat in the metropolitan chair of Scotland, of incest with his own daughter. Rutherford's Lex Rex, p. 6. See also Rutherford's Letters.

pernatural influence. The covenant was her perpetual theme, and its leaders paid her the most profound veneration. The true genuine covenant, she said, was ratified in heaven; but the king's covenant was an invention of Satan, and all its adherents should be confounded. When she spoke of Christ, she usually called him the *Covenanting Jesus*. Rollock, then minister of the College Church, being desired by the spectators to pray with her, answered, 'That he durst not *; for it 'would be ill manners in him to speak while his master Christ 'was speaking in her.' She spoke but at times, and frequently had intermissions of days and weeks; and when she felt the *presentiment* of an approaching impulse, the joyful news was sounded abroad; nobility, gentry, clergy, in short, all ranks flew with that eagerness to learn her inspirations, as if it had been to meet a second Redeemer. Thousands, whom the crowded house could not receive, clung about the walls, striving to suck in the least whisper of the holy sound. Her ravings were deemed the operations of the Holy Spirit, her prophecies the oracles of truth; and each went away animated with enthusiastic fervour, and rivetted in his principles, by this immediate declaration of heaven in their behalf.

On the 21st of November, the Assembly met at Glasgow, agreeably to the royal proclamation; and besides a vast concourse of people, almost all the nobility and gentry of any family or interest were present, either as elders or assessors. It might naturally be supposed, that the Covenanters having unrivalled authority in the assembly, indeed almost its unanimous suffrages of their † party, would, in determining the validity of commissions ‡, and other preliminary points, have assumed the semblance of impartiality, by adhering to the rules of the court, and the common forms of justice. Quite otherwise, they proceeded with the most flagrant contempt of decorum; and the commissioner perceiving them hurrying on with headlong impetuosity, and knowing the resolutions they had formed, dissolved the assembly. As this step was foreseen, the moderator addressed his Grace in a well written speech, which he had ready for the occasion, intreating him not to leave them: But he required the moderator to say prayers, and dismiss the assembly; and this not being complied with, he retired, the court continuing to sit, notwithstanding the commissioner's having pronounced it dissolved. In one hour, all the acts of assembly passed since the accession of James to the throne of England were declared || null and void, although many of them had been confirmed by parliament. After-

* King's Declaration, p. 227. † Ibid. from p. 239. to p. 246.

‡ There were not above half a dozen members returned to the assembly who had not been nominated by the tables.

|| King's Declaration, p. 317.

wards the whole bishops were deprived and excommunicated, episcopacy, the articles of Perth, the canons, and the Liturgy abolished, and every one ordered to subscribe the covenant, under pain of excommunication.

Besides these, the Covenanters revived a doctrine, in itself subversive of all government, but which had ever been the test of a zealous Presbyterian, 'the independency of the ecclesiastical upon the civil power.' This James had compelled them publicly to abandon; but as they had always adhered to it in secret, they now advanced it boldly. They * used to state a comparison between Christ and the king, the assembly and the parliament; and as the former held themselves the council of the greater master, they, inferred, at least, an independency upon the latter. Nay, they harboured the same pretensions to superiority over temporal princes, for which the Roman pontiff so boldly struggled. 'Kings (says their great oracle) are under the coactive power † of Christ's keys 'of discipline, and pastors, as ambassadors of Christ, have 'the keys of the kingdom of God.' The acts of their late assembly, as well as the tenor of their conduct, showed that they did not hold this in speculation alone. But, however much they might be satisfied of the soundness of these propositions, they were sensible they would by no means be admitted by the king, and that there was a necessity for supporting their tenets by military force. A meeting of the different estates of parliament was held at Edinburgh, and being resolved to act *conscientiously*, the opinion of eminent lawyers and divines was taken concerning the legality of raising war ‡ (defensive, as they termed it), and a response was delivered of course in the affirmative. Sir Thomas Hope, although he held the office of his Majesty's || advocate, was not ashamed to assist at this consultation, and to concur in the report.

1639. Feb. 20.

War being unanimously resolved on, Lesley was appointed general. Their operations began by an attack upon Edinburgh Castle, which, as it had been provided by its prudent governor with no more men than in profound peace, and was utterly destitute of provisions, it surrendered at the first summons. Their next enterprise was upon the house of Dalkeith, which § then belonged to the crown. Being a place of inconsiderable strength, it also surrendered on demand; but it was well furnished with military stores, which were removed thence to supply Edinburgh Castle. Those who conducted the military operations, resolved that a fortification should be erected at

March 11.

March 23.

* King's Dec. p. 288. 407, 408. † Rutherford's Lex Rex, p. 3.
‡ Guthrie's Mem. p. 44. || Attorney General.
§ Guthrie's Mem. p. 44, 45, 46.

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Leith. The work was begun, and carried on with infinite alacrity; not only mercenaries, but an incredible number of volunteers, gentry, nobility, nay, the ladies themselves, surmounting the delicacy of their sex, and the reserve so becoming them, put their hand to the work, happy if, at any expence, they could promote so pious a cause.

The Covenanters displayed their sagacity in making the most ample preparations for the ensuing contest. Not trusting alone to their own vigour and unanimity, they dispatched their emissaries to London to engage the non-conformists in their cause; and, knowing the disgust which France had conceived against Charles for * having declared his resolutions to oppose her making conquest of the Low Countries, they applied to Richlieu, who secretly lent them assistance. Every fourth man, over all Scotland, was appointed to be armed; but the chief difficulty lay in raising money. For this various expedients were fallen on during the course of the war. First, they prevailed on a merchant of the name of Dick, who had obtained a degree of wealth then not usual to be acquired by commerce, to lend them L.20,000 Sterling; and, flattering his vanity, by making him Lord Provost of Edinburgh, they afterwards drained him of large sums, till, in the end, he died a beggar. They next ordained every person to bring in his plate to the Receiver General, for which he was to receive bond from some person embarked in the cause. This proposal was not immediately relished; but the pulpits being † set to work, and the women entering keenly into the measure, it was adopted. The people were not more ready to lend money ‡ than those more immediately engaged in the cause to grant their bonds for the amount; and it being deemed an honour to be allowed to become bound for the commonwealth, the leaders of the covenant, with prudence and humility, indulged their inferiors in acquiring an honour, which, in the end, they found they had purchased dearly. The committee of estates next proceeded to impose an excise on || sundry species of goods; but the citizens learning their design, rose tumultuously, surrounded the house where they sat, and compelled them to discharge the tax; yet so easily was the mob practised upon by the ministers, that, by their persuasion, they at the next meeting of estates allowed it to be imposed without grumbling. But the estates fell upon another expedient for levying money, on which they valued them-

* Guthrie's Mem. p. 42. 47. 49. Hume's Hist. v. 6. p. 272.

† Guthrie's Mem. p. 62, 63.

‡ These expedients were not all invented and executed at once. The first, that of borrowing money from the merchant, was practised A. D. 1639, that of bringing in the silver plate in 1640, that of imposing an excise in January, 1645. that of *reaching the heart-malignants* in 1647, and the city of Edinburgh's case of conscience happened A. D. 1649.

|| Ibid. p. 125.

selves highly. When any person was suspected of *malignity*, i. e. attachment to the royal cause, he was immediately called before them, and ordered to lend them one or two hundred pounds sterling, perhaps more. If he scrupled, the proportion * was immediately doubled; or, if he professed want of money, some of the collectors, who were always at hand, offered to him the sum, payable against the next term, with interest. This, they said, was a notable device for *reaching heart-malignants*.

But the conduct of the Corporation of Edinburgh, respecting the money which they levied, deserves to be particularly described. Although no friends to the royal cause, they were prevailed on, after the murder of Charles I. to join the national engagement in favour of his son, and to advance about L.3,300, in lieu of 1200 men, which they had engaged to furnish. For this purpose they borrowed a sum, the town not being possessed of ready money; but the royal army being defeated at the battle of Worcester, they totally disclaimed the engagement for which the money was raised, and refused to pay the town's creditors who had lent it them: that their consciences might be the better informed concerning the moral rectitude † of this refusal, they consulted the committee of the General Assembly, 'Whether, the engagement being 'unlawful, they were bound in conscience to pay the money 'borrowed in support of it;' and the venerable the committee of assembly declared, 'It is the judgment of the commission, 'that the provost, bailies, and council of Edinburgh, who 'state the case, should not, in conscience, pay any part of 'the foresaid sum, nor interpose their authority for paying of 'the same.' But when the creditors sued afterwards for payment of their bonds, Oliver Cromwell's parliament, not being so versant in *matters of conscience*, ordained them to discharge the debt.

Charles having also made warlike preparations, sent, under the Marquis of Hamilton, a fleet of twenty ships of war, with 5000 land-forces on board. Hamilton was instructed to bend his course for the Forth, to reduce Edinburgh and Leith to obedience; and, by making what impression he could on these parts, to prevent new levies from being made, or succours ‡ of any sort sent to the Scots army, then on its march for England. The fleet accordingly arrived in the Forth; but remained in a state of total inaction, till the sudden pacification which Charles patched up with the Scots made him recall his warlike pageant. By an article in this treaty, it was stipulated that the garrisons should

1650. May 21.

* Guthrie's Mem. p. 204. † Council Reg. v. 17. p. 215. 359.
‡ Guthrie's Mem. p. 48. Baker's Chronicle, p. 467.

be restored to the King. Edinburgh Castle was accordingly
June 22. delivered to the Marquis of Hamilton; but the covenanters, justly suspecting that no lasting peace would flow from so inconsiderate a treaty, and who still continued in a warlike posture, would not suffer the walls of the
Nov. 29. Castle to be rebuilt, they having tumbled down on the King's birth-night thereafter.

The Scots army having marched into England, and continued there almost a twelvemonth, were treated by the English parliament with a courtesy, which behoved to be extremely mortifying to Charles. The Scottish nation, in general, were inspired with enthusiastic ardour for the propagation of their theological doctrines. When they thought upon the poverty of their country, they comforted themselves, by reflecting that God had showered down spiritual treasures upon them more abundantly, than upon any people on the face of the earth. So confident were they of success, that the most zealous among * them boasted, they should carry the triumphant banners of the covenant to Rome itself. It behoved then to be highly flattering to them, to see their religious tenets ap-
1641. proved by the English. They received, however, more substantial comfort; the † English paid them L.850 *per diem*, besides L.300,000 in the name of brotherly assistance.

Charles made a journey to Edinburgh, with a desire to settle the peace of Scotland. There he resigned almost every branch of his prerogative, in so much that he hardly retained ‡ more than the empty title of sovereignty. From an error in judgement, he injured his feelings, by adopting a timid ungenerous policy, which was attended with deservedly bad fortune. Every species of preferment in wealth, title, and office, he bestowed on those whose fidelity to him was suspected, or whose enmity was avowed. The Marquis of Hamilton was created a Duke; but, while the patent was passing the seals, he fled from Edinburgh, on pretence that the court had plotted his assassination. The Earl of Argyle, his apparent rival, and head of the covenanters, was created a Marquis; yet, on pretence of a similar danger, he, in this unaccountable flight, accompanied his rival. The General who had conducted the army against Charles into England, was created Earl of Leven, and governor of Edinburgh Castle; and the moderator of the General Assembly, which, with illegal violence, had abolished Episcopacy, was rewarded with the revenues of the chapel royal. As for his steady friends, they were turned out of all their employments, or passed by in total neglect, which oc-

* Guthrie's Mem. p. 95. † Ibid. p. 83.
‡ Ibid. p. 86, 87, 88, 89.; Baker's Chron. p. 512.

casioned this remarkable saying of the Earl of Carnwath, a warm adherent of the King's: 'He would go to * Ireland, 'and join Sir Phelim Oneal, and then he would be sure of 'royal preferment.' In this manner the king lost his friends, without gaining his enemies, and left the goodness of his heart to be called in question.

Upon the breaking out of the civil wars in England, the money which the parliament † of that nation had bestowed upon the Scottish army, was found not to have been misapplied. A new covenant was drawn up at Edinburgh, in the name of all ranks of the people of Scotland, England, and Ireland, in which the subscribers bound themselves to the mutual defence of each other, against all opponents whatever, to abolish popery and prelacy, and to reform the Church of England according to the word of God, and example of the purest churches; and an army of twenty thousand men, conducted by the Earl ‡ of Leven, entered England on behalf of the parliament.

1643. Oct. 13.

Through the whole of this war, the conduct of the Scots was exceedingly disgraceful. From sordid motives, or intemperate zeal, they embroiled the nation in a civil war, and displayed the most undisguised violence about religious trifles, while they covered the grossest immoralities, and the most complicated treachery to their sovereign, under deep dissimulation and hypocrisy. Of the whole nation, the gallant Montrose alone was conspicuous for courage, conduct, and fidelity to his sovereign; yet he, too, departed from the cause which he originally embraced. As for those whom Charles trusted, except a few who were turned out of office, their uniform purpose seems to have been to advise the king to measures that would lead to his destruction, and at the same time, by keeping some credit with his party, to prevent his friends from acting vigorously in his behalf. Since the removal of the seat of Empire to England, his majesty's advocate is the officer of highest trust under the crown. Yet, from the first troubles in this reign, till death screened him from temporal punishment, Sir Thomas Hope abused the confidence of his sovereign, and the high trust reposed in him, by assisting at every cabal, by suggesting every device for his master's ruin. The Duke of Hamilton, the near kinsman of Charles, as well as the first peer of the realm, who represented his person in the great councils of the nation, who commanded powerful fleets and armies in times of critical danger, and who, therefore, should have steered no middle course, displayed that same irresolute, wavering, undecided conduct which characterised his grandson at the union, and which laid the former

* Guthrie's Mem. p. 94. † Ibid. p. 121. 122.; Scott's Hist. p. 625.
‡ Hume's Hist. v. 6. p. 476.

under suspicions of infidelity to his master, although he forfeited his life in the cause. At last the Scottish leaders were involved in a dilemma which brought on the nation a greater odium than perhaps it deserved. They were supposed to have sold their king for a piece of silver.

Charles being reduced to the utmost distress, wished to try if his appearance among the Scots could awaken in them any sparks of generosity to their fallen monarch, or perhaps excite a division between them and the parliament. For this purpose, he fled from Oxford to the Scots camp at Newark. But he had little reason to boast of his reception. He found himself a prisoner, disturbed by the contentions of the Scots and English, each of them claiming a preferable right to the disposal of his person. The Scots still entertained the same idea of limiting the royal authority, and diffusing their religious persuasions, for which they had so long been in arms. Had they wished to have carried him prisoner to their own country, they could not hope to accomplish it, in opposition to the numerous and victorious armies of England, nor to defend his person without embroiling the nation in a war with a superior power, and ruining the work they had raised with such labour:
1646. And it is evident, that the only way in which they could support themselves against the parliamentary forces, was by returning to their allegiance, and, by joining the royalists in both kingdoms, to have endeavoured to obtain from the English parliament more equitable terms for their distressed sovereign. Had a sudden impulse of a sense of duty led them to such a measure, it would have been as singular as laudable. But, to suppose them actuated by no such principle, yet joining their inveterate enemies in attacking their friends, is to figure them acting from romantic generosity, or rather from the height of extravagance. Being thus reduced to a dilemma, from which they could not extricate themselves without imprudence or infamy, they luckily bethought themselves of the arrears due to the army from the English Parliament, and were resolved to sell dearly what would have been a plague to them to have kept. Accordingly, it was stipulated, that the Scottish army should withdraw, on receiving their arrears, which were fixed at four hundred thousand pounds Sterling; a half to be paid instantly, and the other within a twelvemonth; and the King was delivered up, in consequence of the transaction.

Still, however, the Scots, from the application which they made of this money, as well as from their subsequent conduct, when the court of high commission sat upon Charles, must incur lasting reproach. The parliamentary leaders appropriated great part of the money to themselves. They began, by passing an act, that none who had favoured the rebels (i. e.

those who adhered to the king), * should receive any part of this sum, *the Duke of Hamilton excepted.* Out of this money they afterwards allotted to the Marquis of Argyle L.30,000; to his friends and followers L.15,000; to the Duke of Hamilton L.30,000. The rest was bestowed in gratuities to the party in smaller proportions, and in paying off the army. When the parliament of Scotland learned that a court of high commission was appointed to try the king for high treason, they dissented, and protested against any violence being used against his life; and they sent instructions to their commissioners at London to exert themselves in his behalf. The nature of these instructions evince, that the Scots did not interpose warmly, nor perhaps even sincerely. The commissioners were ordered expressly, not to debate concerning the lawfulness of putting the king to death; and, at no event, to do or say any thing which might involve them in a quarrel with England. The more rigid among them entertained more decided sentiments; they boldly avowed, that Charles, in his death, 'received the just† demerit for all 'his oppressions, murders, treachery, and treason.'

Charles being dead, the Scottish parliament passed an ordinance, repeating their disapprobation of the bloody measures which had been pursued against him, and proclaiming his son Charles King of Great Britain; but at the same time declaring, that, before he should be admitted to the exercise of the royal authority, he should be obliged to subscribe the Covenant, and, indeed, to give security for his good behaviour. Nor did he owe this declaration, in his behalf, so much to any favour they entertained for his person, or for monarchy, as to the enmity which they entertained against the *Independents*, and the indignation they felt at seeing their Covenant despised and rejected by the English; for, when the committee of estates learned that his Majesty had not closed with‡ them in the proposals they had sent to him, then at the Hague, for the security of religion, out of forty members which sat in the committee, eighteen voted that no more addresses should be sent to the King. A violent remonstrance, by the Western Counties, then in arms, was presented to the estates, against their treating with the King; and, when he arrived in Scotland, in consequence of an agreement with the estates, the great Apostle of the Covenant || received him with a public harangue, in which he told the King, that, if he did not persist in the Covenant, '*Actum est de Rege, et re regia.*'

* Rescinded Acts, Charles I. parl. 3. sess. 6. c. 31. Unprinted ditto, 30th January, 1647. Guthrie's Mem. p. 197.

† Hind Let Loose, p. 68.

‡ Peck's Desiderata Curiosa, lib. 11. p. 12. Sir Edward Walker's Historical Discourses, p. 157. 160. Remonstrance of the Western Scottish forces, p. 6.

|| Rutherford.

In the mean time, Montrose having received a commission from the King, appointing him Captain General in Scotland, landed in the north with about 500 foreigners, gallantly attempting to seat the King on his native throne, on more reasonable terms than were proposed to him by the rigid Covenanters: But he suffered a total overthrow; and, disguising himself in the habit of a peasant, he entrusted his person to a friend, by whom he was perfidiously betrayed, and was carried
May 18. prisoner to Edinburgh. There he was treated with all the ignominy with which base spirits exult over the object of their fear, when reduced within their power, and with the severity natural to men, whose minds were hardened, and passions inflamed against each other, by a long train of civil wars, heightened by all the rancour of theological fervour. At the Water-gate, he was met by the magistrates, the city-guard, and the executioner, who conducted him along the streets in fatal pomp. The other prisoners, bound two and two, walked before him; Montrose followed, on a new cart made for the purpose, with a high seat, to which he was bound with cords, that he might be the more fully exposed to the rabble; the hangman riding before him in his livery coat and bonnet, while Montrose sat uncovered. In this manner was he conducted to the tolbooth, amidst an immense crowd of spectators, who, so far from approving these studied indignities, lamented in tears the sad reverse of his fortune.

Next day, being Sunday, he was pestered with the visits and exhortations of the clergy, who, with officious zeal, descanted upon the enormous wickedness of his life, representing to him, that the temporal punishment he would speedily suffer, would be but a short and easy prologue to what he must undergo hereafter: and offering to pray for a deliverance to him from his elapsed state; but he declined the compliment of their prayers, with the bitterness of which he was perfectly acquainted. At the same time, the pulpits rang with declamations against him, representing him as the grand enemy of all piety and religion, and with reproaches upon the people for the profane tenderness they manifested for him, which was termed *movements of rebel nature*. Nay, to such trivial matters did their resentment descend, that the General Assembly* had ordained those to be suspended from church-ordinances, who should presume to drink Montrose's health. Next day he was brought before the Parliament. He had dressed himself in gay and splendid attire, as if prepared rather to celebrate a festi-
May 21. val, than to meet the tragical catastrophe which was to put an end to his life. There he bore, with heroic fortitude, the insults and reproaches with which the Chancel-

* Hind Let Loose, p. 82.

lor accompanied the sentence he pronounced on him, and maintained that superiority over his iniquitous judges, to which the greatness of his mind, the fame of his exploits, and the justice of his cause, so well entitled him. With equal resolution, he bore the ignominious death destined for the meanest malefactors; and his limbs were stuck up on the chief cities of the kingdom. In the last scene of this tragedy, he could not help smiling at the mistaken, yet unrelenting malice of his enemies. The executioner brought a book, which had been published, extolling his gallant exploits, and tied it about his neck by a cord. He thanked them for their officiousness, observing, that he bore this testimony of his bravery and loyalty, with more pride than he had ever worn the garter. Such is the triumph of virtue, that death, armed with every terror of cruelty and disgrace, cannot debase it; but, with inbred and essential greatness, it affords courage and consolation in the most dismal reverses of fortune.

The English parliament, foreseeing that the treaty between Charles and the Scots would probably terminate in an accommodation, sent into Scotland an army of 16,000 men, under the command of Cromwell. In order to sow divisions among the Scots, the army set before them a declaration, addressed 'to all that are saints and partakers of the faith of 'God's * elect in Scotland.' In this declaration they, in very plausible arguments, charged the Scots with violation of the treaty between them; justify the independency of their conduct in new modelling the government, as being a free state; and the necessity of their taking up arms to prevent Scotland from entering into a treaty with the king, for restoring to him all his dominions; which treaty they conjured that nation, in the bowels of Christ, and in the fear of the Lord, to renounce; and praying, that if it should not be renounced, 'the precious in Scotland might still be separated from the vile.'

July 22. Cromwell's army crossed the Tweed on the 22d of July; and marching by Haddington towards Edinburgh, they encamped nigh Pentland hills, within a few miles of the city. The Scottish army commanded by Lesley, was drawn up at Corstorphin, whence the chancellor, who was with them †, wrote to the magistrates of Edinburgh for a supply of provisions, requesting them, at the same time, 'to 'ply the Lord and his throne with strong prayers and sup-'plications in their behalf,' without whose help they were utterly ruined. The Scottish army afterwards entrenched themselves in a fortified camp between Edinburgh and Leith; and Cromwell having endeavoured in vain to provoke them to a

* Declaration of the Army of England, p. 3. et seq.
† Letter from Lord Loudon, in archieves, Edinburgh.

battle, and having suffered in several skirmishes, retired to Dunbar.

The subscription of the covenant being warmly urged upon Charles, and indeed made an indispensible preliminary by his subjects to their paying him allegiance, and the king seeing no other way of recovering his dominions, at last consented to it with exceeding reluctance. He set sail for Scotland; but before he was suffered to set his foot on shore, he was waited on by a deputation of the clergy, who exacted his subscription to the national, and to the solemn league and covenant; and, at the same time, fortified his mind with many zealous exhortations to persevere in it. The covenant being subscribed, he was suffered to land; but all his friends who had come with him from Holland, and who had shared with him the varieties of his fortune, as being malignants and profane persons, were debarred from his presence; and the clergy would permit none but their own creatures to be near him. They resolved to give him a sample of the dominion of grace. They exercised over the first magistrate of the nation the acme of spiritual tyranny; and as the nuncio treated the profligate king of England, so they having brought the diadem to their feet were resolved to trample upon it with studied indignity. The General Assembly, and afterwards the committee of estates and the army, issued a declaration, in which they protested, 'That they did not espouse any *ma-* 'lignant quarrel or party, but that they fought merely upon* 'their former grounds and principles; that they disclaimed 'all the sins and guilt of the king, and of his house; and that 'they would not own him, except in subordination to God, and 'in so far as he prosecuted God's cause; and protested, that 'their conduct might not be misinterpreted, as if they had any 'design to support his Majesty, without his making acknow-'ledgement of the sins of his house, and of his former ways.' 'They next extorted from him a declaration, in which he gave 'thanks for the merciful dispensations of providence, by which 'he was recovered out of the snare of evil councils; 'that he had attained to a full sense of the righteous-'ness of the covenant, and was resolved to cast himself and his 'interest wholly † upon God; that he desired to be deeply 'humbled and afflicted in spirit for his father's having followed 'evil councils, by which so much of the blood of the Lord's 'people have been shed; as also, for the idolatry of his mother, 'the toleration whereof in his father's house could not but be 'a high provocation to Him, who is a jealous God, visiting 'the sins of the father upon the children; that he ingeniously 'acknowledged all his own sins, and the sins of his father's

Aug. 13.

Aug. 16.

* Sir Edward Walker's Historical Discourses, p. 166, 168. † Ibid. p. 170—176.

'house, craving pardon, and hoping for mercy and reconci-
'liation through the blood of Jesus; that he would have no
'enemies but the enemies of the covenant; that he detested
'and abhorred popery, prelacy, and schism, and was resolved
'not to countenance, *nor even tolerate them in any part of his*
'*dominions*; that he was determined in life, or even unto
'death, to prosecute the ends of the covenant; and that,
'whatever bad success his Majesty's guiltiness before God
'might formerly have occasioned, yet now, as the case was
'altered, and his Majesty had obtained the mercy to be upon
'God's side, he hoped the Lord would graciously countenance
'his own cause in the hands of weak and sinful instruments
'against all enemies whatever.'

Not contented with the contumelies they had heaped upon their Sovereign, they prepared for him a scene of still greater indignity. Nothing now would satisfy the clergy, but that the king should do public * penance before the whole land. The General Assembly drew up twelve articles, in which they mustered all the pretended sins of his Majesty, and his predecessors, for four generations back; and for these they ordained, that the king, his household, and the whole land, should do solemn and public penance; an event, however, happened which saved him from that disgrace.

Cromwell's army lay at Dunbar in a very bad situation. They were so straitened for provisions, that he had meditated to send his foot and artillery by sea into England, and to break through with his horse in the best manner they could. Lesley had secured the passes between Dunbar and Berwick, so that Cromwell's retreat would have been as dangerous as disgraceful. But he was spared this mortification by the madness of the clergy. The Scots army, instead of being under the authority of their general, was regulated by a committee of clergymen, who took care to see it purged from all profane persons, that no iniquities should be committed, particularly that of Sabbath-breaking, and who, in general, superintended its motions. Having cleared the army of about four thousand profane persons, they concluded, that they were a body of saints, and consequently invincible. At the same time, the clergy had been wrestling night and day with the Lord, as they termed it. At last, a revelation was made to them, that the sectarian and heretical army, together with Agag (that is Cromwell), were delivered into their hands. Puffed up † with this imaginary revelation, they compelled the General, in spite of all his remonstrances, to descend into the plain, to give battle to Cromwell. In a few minutes, their army of sixteen thousand foot, and seven thousand horse was

Sept. 8.

* Sir Edward Walker's Historical Discourses, p. 178.
† Ibid. p. 180. et seq. Hume's Hist. v. 7. p. 196.

totally routed. The clergy made great lamentations. They told the Lord, that it was little to them to lose their lives and fortunes, but to him it was great loss to suffer his elect to be destroyed; and they ascribed their overthrow to the wickedness of the land, the manifold provocations of the king's house, the leaving a most malignant and profane guard of horse about the king, the owning of the king's quarrel, without due subordination to religion and liberty, and the carnal self-seeking of some, together with the neglect of family-worship in others. Besides these, they supposed that the Lord had consented to their overthrow, that more blood, blasphemy, cruelty, and treachery might be upon the head of their * enemies; because victory was a burthening and weighty mercy which they had not strength to bear; and because their enemies were not enough hardened, nor they sufficiently mortified.

Charles had been reduced to so singular a situation, that the defeat of the army fighting in his behalf was to him rather a matter of triumph; for thereby he was exempted from that horrible tyranny to which the ecclesiastics, elated by victory, would have subjected him. They found it necessary to treat him with somewhat † more discretion, lest, by urging him to extremity, he might be induced to leave them entirely, and to throw himself upon the malignants. The penance which they had ordained for him was changed into the ceremony of his coronation. And a numerous army marched with him into England, where they suffered a complete overthrow, which was attended, for a period, with the entire suppression of the royalists.

Sep. 7. Cromwell, pursuing his advantages, took possession of Edinburgh and Leith; but he did not make himself master of the Castle till the end of December. He went Dec. 24. on with the fortifications ‡ at Leith, which the Scots had left unfinished; and he used the people, in general, with much civility, yet plundering, at the same time, the houses of those who had manifested, towards him, their enmity and terror, by deserting their habitations. Upon news being received at Edinburgh, of the defeat at Dunbar, the Lord Provost and Magistrates, at the desire of the Chancellor ||, left the city and fled to Stirling. That the place might not remain in a state of anarchy, the inhabitants assembled, and chose, from among their number, thirty of their most respectable citizens, whom they invested with powers to treat with Cromwell, to preserve the peace of the city, and to manage its affairs, till the legal administrators of the city

* Rutherford's Letters, p. 554. † Hume's Hist. v. 7. p. 201.
‡ Sir Edward Walker's Hist. disc. p. 186. Scot's Hist. p. 684. Baker's Chronicle, p. 603. || Council Register, v. 27. p. 291, 292.

should resume their function. These discharged their trust with such prudence and fidelity, that, on the town-council's being re-established, they not only received the thanks of the city, but got a more solid * mark of approbation, in having the orders and resolutions pronounced, during their management, legally confirmed.

1652. Upon the English commissioners for settling the affairs of † Scotland being arrived at Dalkeith, a deputation of the citizens waited upon them, and solicited a Jan. 20. restitution of their magistracy. The commissioners accordingly, having examined the former grants, constituting the political constitution of the borough, restored to them their magistrates and council as formerly. The English Parliament also required the proprietors of houses Feb. 11. and inhabitants ‡ of Edinburgh, to choose two representatives to meet with the commissioners at Dalkeith, along with those from the other boroughs and counties in Scotland, for settling the government of the nation. An appearance of assent was obtained in this assembly to Cromwell's || scheme, of incorporating England, Scotland and Ireland, into one commonwealth; which, after this assent had been obtained, was ratified by an ordinance of the parliament of England. By the articles of Union, thirty members from Scotland, (out of which the city of Edinburgh to choose two), and the like numbers from Ireland, were to assist the English representatives in forming the parliament of the commonwealth. But Cromwell himself portioned out the districts which were allowed the privilege of parliamentary representation. In 1654. these articles, Cromwell displayed his sagacity, in wrenching the exorbitant power from the Scottish chieftain's by the abolition of that vassallage, in which they held their dependants enslaved, and which has been found so incompatible with liberty, as to have been utterly eradicated, after the extinction of the last rebellion, agitated by the house of Stuart. English judges, joined to some Scottish, decided all causes; and, although the government was founded in manifest usurpation, peace and order were maintained §, and justice distributed with a more steady and impartial hand, than when Scotland was under the government of her native monarchs; or, indeed, to speak more properly, under the influence of her tyrannical nobles.

* Council Reg. v. 18. p. 14. † Ibid. v. 17. p. 295. ‡ Ibid. v. 17. 298.
|| Declarations, ordinances, and proclamations of Cromwell and the English Parliament, 12th April, and 27th July, 1654.
§ Hume's History, v. 7. p. 215.

CHAPTER IV.

RESTORATION—Re-establishment of Episcopacy—Duplicity of Charles II.—Severities of Government towards the Presbyterians—Insurrection—Defeat of the Insurgents, and their Resolution under their Sufferings—Various Measures of the Court—Archbishop Sharp—Perfidy of Charles's Ministers—Extension of the Prerogative—Additional Severities of Administration—Treasonable and frantic Doctrines of the Covenanters—Murder of the Archbishop of St Andrews—Insurrection—Battle of Bothwell Bridge—Declaration of Sanquhar—Cargill, a Clergyman, excommunicates the King—Another Insurrection—Earl of Argyle—Apologetical Declaration—Rapacity of Lauderdale—Reflections on the foregoing Period—Prices of Provisions from A. D. 1600 to 1685—Specimens of the King's College Table, Aberdeen—Specimens of the Table of the Earl of Haddington.

CHARLES being restored to the throne of his ancestors, without bloodshed or opposition, the loyalists so long depressed, gave full scope to their passion for monarchy, by an ample increase of the power * and prerogative of the crown. The city of Edinburgh, as a testimony of her loyalty, sent to the king L.1000, and his majesty, in return †, gave the magistrates power to levy one-third of a penny on the pint of ale, and twopence on the pint of wine consumed within the city; for it has always been equally unfortunate for the inhabitants, whether the magistrates testified their loyalty or sedition. Both were made pretexts for levying money from the inhabitants; and the only difference lay in the name bestowed on this exaction, which, in the one case, was called a *tax*, in the other a *fine*.

1660.

Notwithstanding the tide of loyalty which swelled the breasts of the royalists, which, in its extravagance, affected to consider the very seasons themselves as improved, the earth as yielding a double crop, and the rivers pouring forth their scaley fry in liberal abundance, at the approach of their returning Monarch, still the bulk of the nation were Presbyterians. These uniformly inclined to circumscribe the royal authority. Indeed, many among them, in their sentiments, preferred a republic. The king was fully sensible of their inclinations; he had, besides, suffered many indignities from them; and he seems to have adopted a resolution to eradicate the principle, and to suppress the party. A resolution which he pursued

* As a Specimen of the manner in which the birth day was observed, during this tide of loyalty, see Appendix No III.

† Council Reg. v. 20. p. 150. 213. 214.

through much tyranny and bloodshed; and which in all probability, laid the foundation for the utter ruin of the house of Stuart.

Charles, on his accession, had written to the presbytery of Edinburgh, assuring them of his * determination to support the church government, as by law established. But this was merely duplicity and deceit; for, as the complaisant parliament, which met soon after, rescinded, at one stroke, the whole acts passed since A. D. 1633, those in favour of presbytery being of the number, episcopacy came to be tacitly re-established, and a royal proclamation soon rendered that establishment direct.

Jan. 1. 1661.

With the generality of mankind, especially in unenlightened ages, the attachment to the most valuable of our natural rights is not so zealous as to certain favourite tenets, or even forms of religion; and, it is generally observed, that the violence of the attachment increases in proportion to the insignificancy of the subject of religious controversy. In the death of his father, and the loss of his dominions, Charles might have beheld many circumstances which were experimental proofs of this doctrine. The Scots had ever entertained a violent aversion to Episcopacy. The King had but just recovered from the recent and fatal effects of it. When his subjects received him from Breda, the security of the Presbyterian religion was stipulated as a preliminary article to their paying him allegiance. At his coronation, he bound † himself, by the most solemn oath, to preserve it. At the restoration, he repeated these assurances. The Presbyterians could not with-hold their indignation and resentment against Charles, for overturning, at the expence of such complicated perfidy, the laws establishing their religion; a perfidy which was to introduce the detested Liturgy, in room of the enthusiastical rhapsodies of their preachers, which were listened to with a delight proportioned to the barbarity of the audience, and which was to substitute the decent ceremonies of the episcopal communion, in place of that wild informality which was more suitable to the unbounded fervour of their imagination. Nor were they simply debarred from their own religious communion. A rigid attendance on the established church was enforced with high pecuniary penalties. The zeal of the royalists overcoming their prudence, they embraced every opportunity of displaying the triumph of their party. The presbyterians had been always averse to the observation of particular days, which they deemed highly superstitious, perhaps even impious. When required to observe the birth-day, they answered thus:

* Records of privy council, No 1. p. 27. Sept. 6. 1661.

† Form of Charles II's Coronation at Scone, p. 67.

'That they kept * *with strictness the holy Christian Sabbath*; 'that they would keep no other holy day; that, on the most 'cogent reasons, they did not observe Christmas nor Easter; 'and that they could not do for their *king*, what had not been 'required of them to do for their *Saviour*.' The government degraded themselves in a contention with such men as these, and encountering both their appetites and their prejudices, the privy council, besides insisting on the observance of the birth-day, enforced the rigid keeping † of Lent, and extended the *meagre days* to every Wednesday, Friday, and Saturday, through the year, on which days *no person durst eat flesh without warrant from the privy council*. The seeds of mutual jealousy were sown. They sprung up to a rancour which disgraces the æra: On the one hand, to excessive tyranny and cruelty; on the other, to the most extravagant and uncontrollable spirit of rebellion.

Charles was hardly re-established on the throne of his ancestors, ere the privy council, the court which issued the edicts of his tyranny, betrayed a jealousy of the people. These, indeed, had already, in a variety of anonymous publications, manifested their discontent, and even sedition. The liberty of the press, which, except in the late troubles, had ever been extremely limited, was now fettered with additional shackles. The Lord Advocate of Scotland ‡, and the Lord Provost of Edinburgh, were ordered to seize upon seditious publications, among which were reckoned a translation of Buchanan's Treatise, '*De jure regni apud Scotos*.' People who happened to hold copies of obnoxious performances, were required to transmit them to the sheriffs of their counties, or the clerk of privy council, under high penalties, sometimes amounting to a hundred and fifty guineas a copy; and besides, they were made liable to be held as the authors. A sentence of banish-
1662. ment to Shetland, even against women ‖, was deemed an adequate punishment for this imaginary offence.

Suspicion and terror are ever the concomitants of conscious guilt. An edict was published §, ordaining all inn-keepers and burgesses of Edinburgh, *every night*, to give up lists up strangers residing with them; and the disarming laws passed by James VI. which, with anxious jealousy, deprived the people of the use of fire arms, were put in rigorous execution, in so much, that a gentleman could ¶ not keep a fowling piece

* Wodrow's History, v. 1. p. 106.
† Records of privy council, No. 1. p. 123. 338.
‡ Records of privy council, No. 1. p. 55. 7th Nov. 1661. p. 364. 541. Charles II. parl. 1. sess. 3. c. 2.
‖ Wodrow's History of the Sufferings of the Church, v. 1. p. 236.
§ Records of privy council, No. 1. p. 187.
¶ Ibid. p. 560.

for the purpose of sport, without a warrant from the privy council.

These were but a few among the illegal and oppressive measures of administration. Charles suspended, in direct terms, an * act of parliament passed in his own reign. The privy council assumed a power of banishing summarily † to ‡ the West Indies persons who had committed riots, or otherwise rendered themselves obnoxious. The Episcopal religion was so generally disagreeable, that nearly an half || of all the clergy in Scotland were deposed for not conforming to it, perhaps, indeed, for more absurd instances of obstinacy; for many of them were so extravagant, that, on no account whatever §, would they take the oath of allegiance, but preferred deposition and banishment, the certain consequences of their refusal. Enormous fines were imposed on account of non-attendance on established worship, and other absurd pretexts; in so much, that in the course of one session of parliament, eighty-five thousand pounds sterling were squeezed ¶ from the subjects in those tyrannical exactions: And arbitrary impri-
1666. sonment was carried to such a height, that there are instances of gentlemen of family and fortune having, upon suspicion of ** being disaffected, been detained in prison for a period of five years.

* Records of privy council, p. 563.

† About this period, a tumult of a very singular nature happened in Edinburgh. We have not been able to discover the smallest vestige of its original cause; its more immediate one was somewhat extraordinary. A combination had been formed (from what motives we know not,) among the whole shopkeepers in Edinburgh, to keep their shops shut. This resolution they persisted in for two successive days*. The confusion which, in a great city, behoved necessarily to flow from so whimsical and perverse a combination, may be easily conceived. A tumult arose; and it would seem that some of the rioters had proceeded to very unwarrantable measures. The privy council assembled. They required the magistrates to command the citizens to open their shops instantly, and if they failed to comply, to break them open by force. In consequence of this order, the tumult was appeased. Sundry rioters were committed to jail, and a report upon this affair was laid before his Majesty, which, it is to be regretted, is not inserted in the records of the privy council. The king, by a letter of his to the privy council, appears to have been much displeased. He complains, that the magistrates, by keeping their own shops shut, provoked the people to uproar; that afterwards they were very remiss in appeasing the tumult; that, however, he was willing to consider this riot as the inconsiderate sally of insolent young men, and, therefore, his majesty inclined, *that the prisoners should not be put to death, but be subjected to such arbitrary punishment as the privy council should think fit.* Several of the rioters were accordingly banished for life. It is remarkable, that no traces of this affair are to be found in the town-council register.

‡ Records of privy council, p. 447. 583. || Wodrow's Hist. v. 1. p. 154.

§ Records of privy council, No. 1. p. 209.

¶ Wodrow's Hist. v. 1. p. 121. and Appendix to ditto, No. 33.

** Records of privy council, No. 2. p. 15.

* Records of privy council, No. 1. p. 425. 439. 442. 447. Nov. 1664, and Jan. 1665.

But none of these acts of tyranny so greatly exasperated the people, as the strict prohibition of every meeting for the purpose of religious worship, except such as were by law established. These meetings were denominated *conventicles*; and all who assisted at them were made liable to fines *, imprisonment, and corporal punishment, at the discretion of the privy council. Military force was let loose among the people, for the execution of this tyrannical law, and its command entrusted to officers who had augmented the natural ferocity of their dispositions under the barbarous despotism of Russia.

Irritated by such manifold oppression, the western shires, which had been the principal sufferers, rose in arms. They surprised and disarmed a small party of the king's forces at Dumfries; and thence they marched towards Edinburgh. Still, however, they professed submission to the king, only requiring the re-establishment of the presbyterian religion, and of their former ministers. The privy council were extremely alert in their endeavours to suppress this insurrection. General Dalzell, with a body of forces, was sent out to oppose the insurgents. The city of Edinburgh was put in a posture of defence, the gates shut, and fortified with cannon from the castle. No person was allowed to leave the city without a pass. The gentlemen of the neighbouring shires were called to its defence. The college of justice formed themselves into a company for the support of government, and were supplied with arms by the Lord Lyon; and all the gentlemen in Edinburgh who had horses, were ordered to assemble themselves in the Meal-market, there to be in readiness to march, under the Marquis of Montrose, to assist the General.

The insurgents were speedily quelled. Their number had never much exceeded two thousand; and, on the night preceding † their defeat, in the course of a very fatiguing march, Nov. 28. without provisions, through bad roads, in a night to be reckoned severe, even in that rigorous season, they lost half their army. Upon the approach of the King's forces, the insurgents, with prayers and singing of psalms, prepared themselves for battle. They sustained the first charge very resolutely; but falling into confusion, they were soon totally routed. About fifty were killed, and a hundred and thirty taken prisoners. The darkness of the night, and even pity in the King's troops suffered the rest to escape.

The business of the public executioner was still to follow. About forty people died on the scaffold. Some of them were previously tortured, and their limbs were stuck up in different

* Wodrow's Hist. v. 1. p. 227.; and Appendix, No. 46.; Hume's Hist. v. 7. p. 452.

† Records of privy council, No. 1. p. 618. 620. 623. 624.; Wodrow's Hist. v. 4. from p. 241. to p. 250.

quarters of the kingdom. These bloody executions produced a very different effect from that which was intended. They had been principally * abetted by the archbishop of St Andrews, which brought an additional odium on the whole prelatical party. They excited pity towards the sufferers, and horror at the authors of their calamities. The resolution with which these unhappy people met their fate, begat, in the spectators, a respect to the cause for which they suffered : a cause which inspired in its adherents a confidence not to be shaken by death itself. Some of the sufferers were transported to a degree of enthusiasm which elevated them beyond every power of external circumstance : " Farewell," (says one of them in his dying moments,) " Farewell, sun, moon, and stars ; farewell, world and time ; farewell, weak and frail body ; welcome eternity ; welcome saints and angels ; welcome Saviour of the world ; and welcome God, the judge of all."

A circumstance so favourable to government as a suppressed rebellion, could not, when we reflect on the use they made of their victory, and the general aversion of the people, establish the nation in solid peace. Charles himself was averse from the late rigorous prosecutions. His good humour inclined him to humane measures ; but his indolence prevented him from checking decisively, the austere conduct of his ministry ; and it is said, the archbishop of St Andrews dared to keep up a letter from the † King to the privy council, stopping further executions, till such time as some of the unhappy persons, under sentence of death, had fallen a victim to his vengeance. The judicial sentences, in all their severity, were but a part of the sufferings of the people. Soldiers, commanded by officers of the most brutal temper, were quartered in the ‡ disaffected counties. These officers exercised rapaciousness and cruelty. When Charles received information of these proceedings, he ordered the privy council to make enquiry concerning them ; in consequence of which, some officers were made to refund their oppressive exactions, were broke and banished the kingdom.

1667. The good inclinations of the King, joined to the appearance of some sparks of humanity in the breasts of his ministers, perhaps also, a reflection upon the impossibility to extirpate the presbyterian religion, which, like the hydra, rose with fresh vigour from blood and oppression, induced the court to pursue more gentle measures. In A. D. 1662, a statute had been passed, obliging every person in office to subscribe a declaration, which testified the declarer's adherence to the unlimited principles of passive obedience

* Wodrow's Hist. No. 1. p. 630. 637. ; Ibid. v. 1. lib. 2. cap. 1. sect. 3. ; Hume's Hist. v. 7. p. 454.

† Ibid. v. 1. p. 255. ‡ Ibid, p. 264. 282. 285.

and non-resistance, and contained a renunciation of the *solemn league and covenant*. As the people were extremely averse from a declaration so repugnant to their real sentiments, another test was substituted in its place. Still it must be confessed, that the change was not much for the better. Sir George Mackenzie, afterwards King's Advocate, in all the meanness of a professional lawyer, happened to conceive a most absurd analogy, between the situation of one fellow subject dreading harm from another, and the king jealous of his people. He reflected, that by the law of Scotland, any man who shall go before a magistrate, and make oath that he believes himself * to be in danger from another person, may get out against that person, *a writ of lawburrows*†, by which the person is obliged to find surety, under a certain penalty, that he will do no harm to the complainer nor his effects. This idea, Mackenzie extended to the crown, and made the King take out a sort of general *writ of lawburrows* against his subjects. To this purpose a *bond of peace* was framed, by which the subscriber was bound, under heavy penalties, not only for himself, but for his whole servants and even tenants, that they should not infringe the public peace. The people perceived, that in this act, the ministry exposed the jealousy of the Sovereign, and prostituted his dignity. They observed the ridicule of giving sanction to established law, by private contract, and the iniquity of making one man answerable for another's conduct; for these reasons, many refused to subscribe the bond.

To reconcile the people to Episcopacy, a scheme of *comprehension* was proposed. By this proposal, it was intended, that the authority of the bishops should be diminished, and the most obnoxious parts of episcopal ‡ church-government abolished; but the presbyterian, puffed up with his own ideal sanctity, rejected *communion* with a different sect. The government next adopted a measure, which should undoubtedly have given satisfaction to those of both persuasions. In the vacant churches, they admitted such of the expelled preachers as had conducted themselves with some degree of moderation, bestowed on them a small salary of about twenty guineas a year, requiring of them no submission to the established religion, and permitting them to exercise the presbyterian form of worship in their congregations. At the same time, a scanty livelihood was provided for such of the expelled preachers as could not find vacant churches for their admission, upon condition, that in the mean time, they should refrain from preaching in public.

* Wodrow's Hist. v. 1. p. 278

† It is derived from an obsolete word *borrow* or *borgh*, signifying the finding of surety.

‡ Hume's Hist. v. 8. p. 46, 47. Wodrow's Hist. lib. 2. chap. 4. sect. 2.

These *indulgences* were, at first, accepted very graciously; but there are never wanting people who find an interest in embroiling the affairs of a state. The most extravagant of
1668. the presbyterian clergy, who had been banished for their outrages, from their places of retreat in Holland, found means to disperse, in this country, a number of inflammatory publications, which enraged the people against an *indulgence* that had hitherto afforded great satisfaction. Indeed, the populace, of themselves, did not relish the discourses of their reinstated preachers, like their former harangues. They lamented the insipidity of scriptural doctrine, recommending a christian life and conversation, substituted in place of violent declamations, abusing their governors, descanting on matters of state, and inflaming and gratifying the resentments of a rabble: A rabble, who observed of their reinstated pastors, '*that the salt of their doctrine had lost its savour.*' As the government thought, that all pretences for holding conventicles were removed by the late *indulgence*, these seditious meetings were prohibited under very high penalties, the * hearers being subjected to pecuniary mulcts; but the preacher (if in field conventicles) to death itself. The magistrates of royal boroughs were, at the same time, compelled to give bond, that no conventicles should be held within their jurisdictions, and the penalties in the bonds were rigorously enacted, especially from the magistrates of Edinburgh.

As these penalties were generally deemed rigorous beyond measure, when applied to those statutory crimes, people were extremely unwilling to give testimony against offenders. To supply this defect, the government fell upon an expedient, which must inspire an everlasting abhorrence of its memory. It was enacted, not that a person summoned before a competent judge should be obliged to give evidence against any certain persons, upon special matters, but that every person who should be cited before any one having authority from the king, should be obliged to accuse, upon oath, all persons whatever, who had, in any shape, offended in state matters, or against the laws respecting conventicles, or harbouring or conversing with persons outlawed; and that under a discretionary penalty of fining, imprisonment, or banishment. Thus compelling people to the odious task of informers, and that, without exception, against their nearest and dearest friends.

The late *indulgence* had wrought no solid nor lasting influence upon the people, and the attempt of a desperate fanatic heightened the displeasure of the court against their stubborn dispositions. In the late insurrection, the insurgents had

* Charles II. parl. 2. sess. 2. chap. 2, and 5. Records of Privy Council, No 2. p. 197. No. 3. p. 102, 242.

betrayed more violent animosity against * the established episcopal clergy, than any other class of people. Indeed, it became a matter of principle with the presbyterians, to harrass the episcopal clergy, as opportunities of insult and injury occurred. James Sharp, Archbishop of St Andrews, was peculiarly obnoxious to that party, both because they considered him as an apostate, and because, like most converts, he had become the rigid persecutor of the sect which he deserted. One afternoon, as his grace sat in his coach, at the head of Blackfriars-wynd, and as the Bishop of Orkney was stepping into it, one Mitchell, a presbyterian preacher, aimed a pistol at the Archbishop; but the Bishop of Orkney had the ill fortune to receive the shot. He was wounded in † the groin, and his arm broke by five balls. The villain fled; the gates of the city were shut; none was allowed to pass without leave from a magistrate; a strict search was made, in which a hundred soldiers assisted; yet, by changing clothes, he escaped. At a succeeding period, however, he fell a victim to the resentment and security of the primate. It must be confessed, that his atrocious and reiterated assassinations, deserved the severest punishment; yet this destruction was accomplished through a scene of perfidiousness, which leaves the deepest stain to the Scottish annals, branding the ministers of Charles with the public violation of the most essential principles of morality, and the most solemn rites of religion.

At the distance of six years after Mitchell's first attempt, the Primate recognized, in one who eyed him narrowly, the features of the person who fled from his coach, after discharging the shot which wounded the bishop of Orkney. He ordered him to be seized, and a pistol was found on him charged with three balls. After such pregnant grounds of suspicion, he was examined by the privy council, both respecting the late insurrection at Pentland, and the shooting at the archbishop. He voluntarily confessed his accession to the former, but denied the latter. *Upon assurance, however, of his life, being made him by the privy council,* he confessed the assassination also. He was afterwards required to adhere to his confession before the court of ‡ justiciary; and was certified, at the same time, that, if he did not comply, he should lose the benefit of the assurance || made him. Being accordingly brought before that court, interrogated, and refusing to confess, he was put to the torture, and, under the blows of the executioner, had resolution to persist in his denial, till he

* Rec. of Privy Council. No. 1. p. 685. No. 2. p. 337. † Ibid, No. 2. p. 95.
‡ The supreme criminal court in Scotland.
|| Records of privy council, No. 3. p. 63. 313. Records of justiciary, 25th March, 1674, 24th Jan. 1676, 9th Jan. 1678. Wodrow's Hist. v. 1. p. 374. 513.

fainted through extremity of pain. He was sent to the Bass, a steep and narrow rock surrounded by the sea, at that time used as a state prison for the miserable Covenanters. There he remained for two years, till the ministry, willing to strike terror afresh into the breasts of the Covenanters, produced him again. Sir George Mackenzie, Lord Advocate, who assisted at the privy council when Mitchell confessed, *and obtained assurance of his life*, indicted him capitally for assassinating an archbishop and privy counsellor. No proof of his guilt could be established, but his former confession. This he judicially denied. But it was proven against him by the Dukes of Lauderdale and Rothes, Lord Commissioner, and Lord Chancellor; by the Archbishop of St Andrews, and Maitland the Lord Treasurer depute; all of whom expressly swore, *that no assurance of life had been given him*; although the records of the privy council remain to this hour the incontestible monument of their perjury. The unhappy prisoner produced, in his defence, a copy of the act of privy council, which contained *the assurance of his life*; and required, that the original might be exhibited. This the judges refused, on pretence that the formalities of the court did not admit of a requisition urged so late; that the records of privy council, as containing the king's secrets, ought not to be divulged; and that the fact was already sufficiently established by the testimony of these honourable privy counsellors. After such procedure, it is needless to add, that he was condemned and executed.

In proportion as the Covenanters betrayed their disaffection, new methods were to be devised for enlarging the power
1669. of the crown. New rigors were to be exercised over the people. Two statutes were passed, of the most important consequence to civil and religious liberty. By the one it was declared, that the settling of every thing which respected the external government of the church was a branch of the royal prerogative; that, whatever related to ecclesiastical persons and affairs was to be regulated by such directions as the king should send to his privy council; and that these being published by them, should have the force of laws. Nothing could be more servile, nay, even profligate, in a parliament, than, when a great body of the people were such zealous sticklers about a particular mode of religion, to vest the king with a power of introducing any religion he pleased; for, by this statute, he might legally have re-established the catholic, had he thought *proper*, and probably would have done it, had he thought it *practicable* *. The other statute supplied him with a great military force. Charles, when the

* Charles II. parl. 2. sess. 1. c. 1. and 2.

army was disbanded, had, by his own power, established a militia. This was now settled by parliament, at the number of twenty-two thousand men, who were to be constantly armed, and regularly disciplined. It was further provided, that this force should be held in readiness 'to march to any part 'of his Majesty's dominions of Scotland, England, or Ire-'land, for any service wherein his Majesty's honour, authori-'ty, or greatness, might be concerned.' Charles had also the advantage of disguising his own orders under the name of the privy council, whose mandates the militia, by this act, were bound to obey. By these statutes, the parliament renounced the safeguards of their own constitution, and showed, that they had not the smallest objection to assist in overturning that of England.

Besides those ample augmentations of power, which were thus vested legally in the king, his ministers made daily invasions upon the established rights of the people. Freedom of election in most of the royal boroughs was overturned. Upon pretences, frivolous or false, the king prohibited, for a season, any election of magistrates to be made * in Edinburgh; ordering the same magistrates to officiate for a year longer than they were entitled. And the very next year he issued a letter, turning out twelve members of the town-council from their offices, and authorising the remaining members to proceed in filling up and electing the council anew.

1674.

By the law of Scotland, especially according to its more ancient practice, a conveyance of lands by royal charter did not entitle the person in whose favour the deed was conceived to erect a *fortalice* † upon his lands, unless that privilege was expressly granted, it being deemed a right inherent in the crown. In consequence of this ‡ idea, the crown, by disposing of a *fortalice*, or privilege to erect one, did not deem itself to be so entirely divested of its right, but that, in times of public commotion, it might be resumed, and garrisons placed in the *fortalice* by the crown, a right which is indirectly acknowledged by the declaration || of estates at the revolution; and, if the possessor withheld it, it was deemed an act of treason. Accordingly, the first breach of allegiance which plunged the Earl of Huntly into ruin was his refusal of admittance to Queen Mary into the castle of Inverness, a refusal for which the keeper of the fortress, upon its reduction, was instantly hanged. Charles made a rigorous use of this privilege. On pretence that the western counties, from their disaffection and illegal meetings for public worship, were in a state of war, he

* Records of privy council, No. 3. p. 168. 293.

† Fortified house, house of strength. ‡ Craig, Jus Feudale, lib. 2. dieg. 8, sect. 3.

|| Acts of estates of Scotland, c. 13.

dispossessed twelve gentlemen of their houses, which he converted into garrisons for the suppression of conventicles. He also, upon a difference happening between the Lords * of Session, and a majority † of the faculty of advocates, banished the latter twelve miles from Edinburgh, till they should acknowledge the unlimited supremacy of that court.

1675.

These grievances were far exceeded by the severities which followed. Notwithstanding the rigorous laws which had been made against separation from the established religion, con-

* Records of privy council, No. 3. p. 171. 216. 245. 249.

† Mr Hume, whose writings are an honour to the language and the age, has not, in this matter, attained his usual accuracy of information. He observes, that 'all the lawyers * were put from the bar, nay, banished by the king's 'orders twelve miles from Edinburgh; and, by that means, the whole jus-'tice of the kingdom was suspended for a year.' This was by no means the case. About fifty of them, indeed, were suspended from their office, either for not making the submission required, or for *having perversely withdrawn their attendance on the court*. Still, however, many lawyers remained, *and, in fact, the ordinary † course of justice was not suspended, but proceeded as usual*. We are by no means of opinion, that this edict, banishing the lawyers, was (all things considered) a very violent stretch, or rigorous exertion of power. That it would have been inconsistent with the *defined* liberties of the present constitution, is undeniable. Perhaps it may be argued, that, making allowance for those times, and acknowledging the lawyers to have been in the wrong, still suspension from office sufficiently chastised their obstinacy in error, and that banishment from the capital was gross oppression. But, it must be observed, that, without banishment to a distance from the courts of law, there was no possibility of preventing the lawyers from evading the suspension in many branches of their profession.

The subject of dispute between the judges and advocates was, Whether any appeal lay from the court of session to the parliament? It is obvious, that, in this contest between the bench and the bar, law, and the practice of the court, independent of expediency, fell alone to be considered. Both these appear to us to have been clearly favourable to the independent jurisdiction of the court. In the original establishment of the court of session, all appeals from its decrees were prohibited by express statute. When it was ‡ modelled anew by James V. its sentences were declared to have the same strength and effect as those of the former lords of session, in all time bygone. And in practice, appeals from the court of session to the parliament had been rarely attempted, and uniformly disallowed. It is obvious, that, if a court shall be treated with contempt by any, but more especially by its own members, that these should be highly censured; and no greater instance of contempt can well be figured, than obstinately to disown the established authority of the court. Thence it appears to us, that the court was under a necessity of vindicating its independent jurisdiction; and further, that the king, as the fountain of justice, might, especially in those times, when the powers and privileges of the different branches of the legislature were not accurately defined, support, by his edicts, the honour of the judges, whose extensive jurisdiction was ratified by parliament. At the same time, we must applaud that firmness of mind which the advocates, on this occasion, displayed. Supposing them to have been erroneous, they undoubtedly meant well; and their opinion was not to be intimidated by the frowns of the judges, nor the indignation of their sovereign. It will be well with that learned and respectable body while they imitate the independent spirit of their predecessors.

* Hume's Hist. v. 8. p. 52.

† Stair's Decisions, v. 2. A. D. 1675, 1676. Records of privy council, *ut in textu*.

‡ James I. parl. 3. c. 65. James II. parl. 14. c. 62. James V. parl. 5. c. 39.

venticles, especially in the western shires, still multiplied. A
1678. bond was framed and sent to these counties, which all gentlemen of landed property were required to subscribe. By this deed, the subscribers became bound *for the whole persons residing upon their estates*, that none of them should be present at conventicles, nor harbour, supply, nor hold communication with any forfeited persons, or vagrant preachers. And further, that subscribers should use their utmost endeavours to bring the contraveners to justice; and all this under high penalties. Those who engaged to subscribe these bonds, saw no other security but in turning out those tenants whose religious principles they suspected, thereby depopulating their own estates; and as for these miserable tenants, new laws were framed for hunting them off the face of the earth; so that *literally* they might not have a place where to lay their heads.

As it was foreseen that few would relish this bond, to enforce the subscription, an armed crew was let loose against this unhappy district. In consequence of an agreement made with the Highland chieftains, these called out their clans to the number of 8000. This undisciplined and disorderly crew, issued from the most uncivilized parts of the north, and, in conjunction with the militia of Angus, and some regular forces, spread themselves over the western counties. The bond was tendered to every one, and whoever refused it, was sure to have so many of this disorderly rabble set to live at free quarters in his house. It is easy to conceive the violence and rapine * which would be exercised by a set of people, who, at no time, entertained very refined ideas of property; but who, when sent to chastise the obstinacy of men, whom they were taught to consider as the enemies of their prince and their religion, would think that they did a service to the king by gratifying their own rapacity in every variety of extortion. They made a prey of whatever came within the reach of their ravenous hands; and if they suspected any concealment, compelled, by torture, the unfortunate objects of their suspicion to discover their hidden wealth. As the Highlanders themselves were extremely indigent, not only the more valuable effects, but also the most common household utensils, or articles of cloathing, were matters worthy of acquisition; so that the extent of their spoils was measured by nothing but what they were able to carry. The voice of the nation rose against those sanctified robbers. The Highlanders were recalled; and the west was at once stripped of her effects, and liberated from her oppressors.

Exasperated by such manifold oppression, and misled by the furious zeal of their preachers, the people adopted princi-

* Wodrow's Hist. v, 1. lib. 2. c. 13. sect. 1. and 3.

ples incompatible with all government. Although field-conventicles were punished with still greater severity than house ones, yet as retirement into an obscure valley tended more to their concealment than assembling in a suspicious house, field-conventicles daily multiplied; and besides being enticed to an attendance on those lawless assemblies, by the satisfaction which those fanatics enjoyed, in so barbarous a stile of devotion, a regard to mutual safety induced them to assemble in such multitudes as might be able to repel the assaults of those parties of the king's forces, which continually ranged the country to harrass them; and the same principle led them to assemble in arms. Thus were they unwarily engaged in a species of rebellion. 1679.

The seditious preachers took every occasion to provoke the people to throw off their allegiance. Every instance of compliance with, every act of submission to the established government, was represented as sinful. The paying of cess, or any species of subsidy, was deemed illegal and sinful *; nay, was termed 'a consummate and crimson wickedness, the cry whereof 'reached heaven;' and to be guilty of celebrating the birthday, was nothing less than 'blasphemy against the Spirit of 'God.'

Besides inculcating resistance to the established government, they called to their aid the doctrine of assassination †, which they termed 'the execution of righteous judgment by private 'men;' a doctrine which afterwards, in the most solemn manner, and in the utmost latitude, they adopted and avowed. The first person of any note, who fell a sacrifice to their bigotry and resentment, was the Archbishop of St Andrews; yet his murder appears not to have been premeditated. One Carmichael, a decayed merchant of Edinburgh, had been made chamberlain to the primate, and sheriff-depute of Fife. This man had rendered himself extremely obnoxious to the presbyterians, by his rigorous assiduity in harrassing those who attended conventicles. *Hackston of Rathillet*, a gentleman of Fifeshire, with eight farmers of that county, armed with swords, carabines, and pistols, went in search of this man, with the purpose of assassinating him. Carmichael, however, being put upon his guard, kept out of their way; and these holy ruffians were about to separate, when an unlucky boy coming up, told them 'that the archbishop's coach 'was‡ at Ceres; that his grace was then smoaking a pipe with 'the parson of the parish, and that he would pass by in his 'coach in a very short time, on his way to St Andrews.' These May 3.

* Wodrow's Hist. v. 2. p. 19. Hind let loose, p. 99. 121. 701.

† See *apologetical declaration* published in Appendix to Wodrow's Hist. v. 2. Appendix No 99. and *Hind let loose*, p. 124. 633.

‡ Wodrow's Hist. v. 2. lib. 3. c. 1. sect. 3. and Appendix No 10.

fanatics, in the craziness of their imagination, interpreted this circumstance into an interposition of providence, pointing out, and giving up their capital enemy to destruction. They exclaimed with gloomy rapture, '*He is delivered into our hands*,' and instantly resolved upon his death. Agreeably to the boy's intelligence, they observed the coach passing at some distance; but when they perceived that his grace was not attended with his usual retinue, they were confirmed in the idea of the interposition of providence, and determined in their resolution not to despise the suggestions of heaven. They immediately gave chace. The archbishop seeing himself pursued by armed men, ordered the coachman to drive with full speed; and as it was gaining ground of the assassins, they discharged their pieces at the coach in which the bishop and his daughter sat; neither of them, however, were hurt. But one of the ruffians who happened to be well mounted, getting before the coach, struck the postilion to the ground with his broad-sword, and cut the traces of the coach. Meanwhile, the other ruffians coming up, poured their shot upon the bishop, tore him from the arms of his daughter, dragging him from the coach, and piercing him with redoubled wounds, he expired.

From breaches of the law, the fanatical party proceeded to renounce, with much formality, submission to the laws themselves. They chose the anniversary of the restoration as the most proper day for offering this insult to government. About eighty of these people assembled in arms at Rutherglen, and after extinguishing * the bonefires which had been lighted for solemnization of the birth-day, they burned several acts of parliament, and acts of privy council, chiefly those establishing prelacy; not forgetting, however, to express the same mark of their contempt and indignation for the act of *indulgence*, admitting ministers of their own persuasion into vacant churches. Graham of Claverhouse, better known by the title of *Lord Dundee*, afterwards bestowed on him for his heroism and loyalty, was dispatched by the privy council to seize on or disperse the party, as well as to dissipate field conventicles. Upon coming up with the insurgents, who were now increased to a great and disorderly rabble, to whom a field-preacher was haranguing, Graham opened his commission †. He found himself instructed, that in case he met with resistance, he should fight the enemy, be their number ever so great. He attacked them accordingly, but the superiority of their numbers being immense, he was repulsed with considerable loss, himself having had his horse

May 29.

June 1.

* Wodrow's Hist. v. 2. p. 44.

† Creichton's Memoirs in Swift's Works, v. 13. p. 239. et seq.

shot under him. Graham retreated to Glasgow, and expecting an attack from the rebels he barricaded the streets. Next day he was attacked accordingly, but the assailants were repulsed; yet on the succeeding day he abandoned the city and retired to Edinburgh.

Flushed with success, the number of insurgents daily increased. The privy council displayed great alacrity and judgment in the measures which they pursued for suppressing the rebellion. The militia in the well-affected counties were called out, as also the landed * gentlemen, whose attendance on horseback, with as many followers as they could muster was required. The trained bands of the city of Edinburgh joined the royal army; and an express was dispatched to London for a body of English forces. The passages on the Forth were secured; military stores were seized for the use of government; and great diligence was exerted in supplying and fortifying Edinburgh and Stirling Castles. The Duke of Lauderdale co-operated zealously with the Scottish privy council. But there is ground to suspect, that he was embarrassed by Shaftesbury and other of the ministry, who afterwards embraced a more fitting opportunity for becoming professed traitors. Be that as it may, General Dalzell, commander in chief of the Scottish forces, was superseded, a person, who, whatever otherwise might be his faults, was an officer of approved conduct, fidelity, and courage; and the duke of Monmouth, who was sent to Scotland with four troops of horse, was invested with the supreme command.

Upon the 19th of June the duke joined the army; and on the 22d they came up with the rebels, who were about three times their number, and were drawn up on the opposite banks of the Clyde. The general officers were all of opinion, that the army should march directly through the river, which was there fordable, and attack the enemy. But the duke commanded that the army should pass by Bothwel Bridge, which lay about a mile to the right, was strongly barricaded and guarded by three thousand of the rebels; and for this purpose †, a troop of dragoons with eighty musqueteers, and four field-pieces were dispatched to beat off the party from the bridge. As the duke approached, the rebel army beat a parley, and sent a Scots laird, accompanied by a minister, to express their demands, which were, 'that they 'should be allowed the free exercise of their religion, and that 'a new Parliament and General Assembly, unfettered by any 'oaths, should be called for settling the affairs both of church 'and state.' The duke received them with civility; but told

June 22.

* Wodrow, v. 2. lib. 3. c. 2. sect. 4. 5.
† Creichton, Mem. from p. 245. to p. 250.

them, that he could listen to no terms till they should lay down their arms; upon which the conference broke up. During the parley the duke had, unobserved by the rebels, planted four field-pieces opposite to the bridge, which now began to play. Some hundreds of the rebels were killed, and the rest being ill supplied with ammunition, retreated to the main body of the army. In removing the rubbish, passing the bridge, and forming upon the opposite banks, the royal army were taken up a space of five hours. The artillery were carried in the center of the foot-guards. At the first discharge, the enemy's horse fell into confusion, instantly a total route ensued *; and about seven hundred were killed in the pursuit. Had Dalzell commanded in that action, the defeat would have been infinitely more bloody; for, besides the native severity of his temper, he was inspired with a most inveterate antipathy at the Covenanters. A circumstance, indeed, is reported of these people, which shews they were by no means objects of mercy. It is said, that, in the midst of their camp, there was a large gallows, which had been erected by the rebels in their confidence of victory, and provided with a great quantity of new ropes for *executing judgment* upon their enemies.

The prisoners were brought to Edinburgh. Two of the seditious preachers were hanged. Such of the prisoners as would engage to live peaceably under the government were dismissed. Those who were so obstinate and perverse as to refuse this mark of compliance, to the number of about † two hundred and fifty, were banished, but unfortunately perished by shipwreck in the voyage. As to the rest, the act of indemnity was pronounced, and Lauderdale embraced the opportunity to screen himself, by extending the pardon to all those who had advised any thing contrary to law, or been guilty of malversation in public office.

To remove from the presbyterians future occasions of offence, they were indulged in the liberty of attending house-conventicles ‡, for the purpose of hearing their own ministers; an *indulgence* which will appear more gracious by comparison, when we reflect that, upon extinction of the rebellion 1745, non-juring clergymen, who performed any acts of worship to these of their persuasion, suffered a rigorous prosecution, imprisonment, and banishment ||; and that the hearers also were subjected to penalties.

These *indulgences*, however, wrought no effect on that perverse and stubborn generation. Indeed, it does not appear

* Upon this occasion the city of Edinburgh gave the duke of Monmouth the compliment of the freedom of the city in a golden box; Council Reg. v. 29. p. 154.

† Wodrow, v. 2. lib. 3. c. 3. sect. 2. 3. Appendix, No. 32. ‡ Ibid. v. 2. Appendix, No. 36. || See Book I. chap. 6. prop. fin.

that *indulgence* was what they wanted. To extirpate, or in the enterprise be extirpated, seems to be the object which they had in view. This being their principle, it was immaterial to them whether the government proceeded with lenity or rigour. Accordingly, within a twelvemonth from the extinction of the former rebellion, a declaration was drawn up by Cargill and Cameron, two furious fanatical preachers, and published at Sanquhar by a small body of armed men. In this declara-
1680. tion, they renounced their allegiance to the king, and solemnly declared war against him as a tyrant and usurper. Cargill shortly afterwards *, before a numerous field-conventicle to whom he was preaching, excommunicated the king, the Duke of York, and chief officers of state, beginning with these words †: '*I being a minister of Jesus Christ, 'and having authority and power from him, do, in his name, and 'by his spirit, excommunicate, cast out of the true church, and 'deliver up to Satan, Charles the Second,' &c. &c.*

A party of cavalry were sent out to apprehend the authors of the treasonable declaration, who still continued in arms, and whose numbers were now increased to a hundred and fifty. The regular forces, who were about half their number, came up with them at a place called *Air's-moss*, in the neighbour-
July 22. hood of Air. *Hackston of Rathillet*, who commanded the rebels, drew up his party on the edge of a morass, thereby providing for a safe retreat, as the king's forces‡, being

* Wodrow, v. 2, lib. 3. c. 4. sect. 4.; Hind Let Loose, p. 139.

† When the people get a conceit of botching and reforming religion, there are no bounds to the extravagance of their reveries. At this time, a sect known by ** the name of *sweet singers*, of whom one Gibb was the founder, soared to a pitch of extravagance, in which they got but few disciples, probably owing to the inconveniency, or rather incompatibility of their doctrines with the customs of life. They gave in a paper to the privy council, of which the following is an abstract: 'Yesterday, being the twenty-sixth day of the 'fifth month, it seemed good *to the Holy Ghost, and to us*, to take out of our 'Bibles the psalms in metre; for the book of Revelation says, 'If any man "shall add unto these things, God shall add unto him the plagues which are "written in this book.' And we did burn them in our prison-house, and sweep 'away the ashes. Likewise, in the holy scriptures, we renounce chapters, and 'verses, and contents, because it is only done by human wisdom, and the chang-'ing of the books, after the Holy Ghost had placed them. We being pressed 'to this by the Holy Ghost, do renounce the *impression and translation* of both 'the Old and New Testament, and that for additions put to them by men, and 'other causes. Likewise, we renounce the Catechisms, Larger and Shorter, and 'Confession of Faith, against which we have many causes. We renounce the 'acts of assembly, and all the covenants, and acknowledging of sins, and en-'gagement to duties, *and that which they call preaching-books*. We renounce 'and decline all that are in authority throughout the world, and all their acts 'and edicts, from the tyrant *Charles Stuart*, to the lowest tyrant. We re-'nounce the names of months, as *January, February, March*, &c. and of days, 'as *Sunday, Monday*, &c. *Martinmas, Whitsunday, New-years-day*, &c. We re-'nounce all the customs and fashions of this generation, their ways of *eating, 'drinking, sleeping*,' &c. &c. &c.

** Wodrow's Hist. v. 2. p. 221. and Appendix to ditto. No. 78.

‡ Creighton's Mem. from p. 261. to p. 268.

cavalry, would be embogued in the pursuit. The rebels were defeated with considerable slaughter. Cameron, the seditious preacher, was killed. Hackston and Rathillet, and thirteen others, were taken prisoners. The king's party lost only three men, and had ten wounded. The prisoners were immediately brought to Edinburgh. Hackston was tried before the Court of Justiciary, for being out in the Rebellion at Bothwellbridge, and in the late engagement with the king's forces, for being concerned in the declaration at Sanquhar, and for the murder of the Archbishop of St Andrews. He expressly declined the king's authority, and that of the court * of Justiciary; was found guilty, condemned, and executed on that same day, and his quarters put up in the chief cities of the kingdom. Some others of the prisoners were tried and convicted. These were offered their lives if they would say, '*God save the King.*' But (to use their own words) 'they 'chose rather to endure all torture, and embrace death in its 'most terrible aspect, than to give the tyrant and his accom-'plices any acknowledgment.'

1681. If, on the one hand, the vulgar were inspired with the most ungovernable fanaticism and frenzy, the nobility and parliament, on the other, made a total surrender of their liberties to the crown. An act was passed, declaring the divine indefeasible hereditary right of kings. By another, all persons in office, ecclesiastical, civil, or military, were † obliged to take a *test*, acknowledging the king's supremacy, professing the protestant religion, as contained in the Confession of Faith, and binding themselves up from ever making any change or alteration therein; renouncing the covenant, and professing the doctrine of passive obedience. An exemption was made as to taking the test in favour of the royal family. This, however, was opposed by the Earl of Argyle, who argued, that the chief danger which could arise to the protestant religion, behoved to be from the erroneous principles of the royal family. This drew on him the indignation of the Duke of York, and speedily accomplished his ruin.

The *test*, at the same time that it ratified the Confession of Faith, established doctrines directly repugnant; so that the whole was a mass of absurdity and contradiction. Many that were zealously attached to the crown, refused to take it without an explanation. Accordingly, when Argyle took it, he added an explanation, importing that he took it in so far as it was consistent with itself and the protestant religion; and further, that he did not bind himself ‡ up from making any alteration in church or state that was consistent with his religion and loyalty. Upon this innocent explanation, a charge was founded against Argyle of high treason *leasing making* ||,

* Wodrow, v. 2. p. 142.; Hind Let Loose, p. 197. † Charles II. parl. 3. c. 2. and 6. ‡ Wodrow, v. 2. lib. 3. c. 5. sect. 7. || *Leasing making* was a crime, the creature of an act of parliament. It consisted in misrepresenting

and perjury. A jury of his own rank was found infamous enough to convict, and a court to condemn him. The king suspended execution of the sentence; Argyle escaped; but, afterwards, upon his subsequent rebellion, suffered upon the same iniquitous judgment.

Courts of judicature were erected in the southern and western shires, for trying such as had been guilty of harbouring or holding intercourse * with rebels or outlaws. Any person who would take the test, got an indemnity of his former offences: but the refractory were persecuted with much severity.

1684. These oppressions, co-operating with their fanatical and furious dispositions, led them to profess principles and resolutions which would seem to entitle any regular government to extirpate the maintainers of such pernicious doctrines †. A numerous society of those people were in use to meet regularly, and keep minutes of their proceedings. They published a declaration ‡, in which they disavowed the authority of *Charles Stuart*, (so they called the King), declared war against him, and plainly spoke out their resolutions to murder the Lords of Justiciary, all officers or soldiers in the army or militia, all possessed of any office, civil or military, all bishops and curates, all who should seize or apprehend them, and, finally, all who should inform or give testimony against them in any court of justice. If any of these persons (says the declaration) 'should stretch forth their hands 'against us, to the shedding of our blood, while we are main-'taining the cause and interest of Christ against his enemies, '*in the defence of our covenanted reformation.*

Nov. 8.

This threatening manifesto excited the deeper alarm, as two soldiers of the life-guards, who had been active in discovering conventicles, were murdered within a few nights after its publication. Indictments of high treason were filed against those who were concerned in issuing this declaration; and such as, upon being interrogated, owned or refused to disown the principles it contained, were deemed guilty of the same crime, and suffered accordingly. An oath, abjuring this declaration of war, and those principles of assassination, was accordingly ordained to be put to all persons above sixteen years of age, either male or female, and such as refused it, were liable to be tried and punished capitally. A method still more decisive was taken in the parish where the soldiers of the life-guards were murdered, and the parishes adjacent. A

the actions of the king to any of his subjects, or *vice versa*, those of his subjects to the king. It inferred a capital punishment.

* Wodrow, v. 2. lib. 3. c. 7. sect. 4. † Ibid. c. 8. 7. appendix, 99.

‡ This paper was entitled, 'The Apologetical Declaration and Admonitory Vindication of the true Presbyterians of the Church of Scotland, espe-'cially anent, (i. e. concerning), intelligencers and informers.' It bore this motto, 'Let King Jesus reign, and all his enemies be scattered.'

body of forces was dispatched to Livingstone, who were authorised to call before them the inhabitants of that and the five adjacent parishes, and interrogate them upon the late declaration. Those who owned it, or justified its principles, were instantly to be executed by martial law; they, again, who refused to answer, were immediately to be brought before a jury of fifteen men, and the sentence pronounced against them, was to be followed by immediate execution.

Persons in the meanest rank were impowered to put the oath abjuring the declaration. They executed the commission with much assiduity. But the dreadful penalties appointed for rescusants in the proclamation, ceased to be, or at least were very * seldom applied. Officers in the army †, nay, common soldiers, were ordered to go through Edinburgh, particularly through the Calton, a quarter of the city where none but tradesmen of the meanest occupations resided, and put the oath of abjuration. Old women were taken from their wheels, journeymen and apprentices from the forge, and teased with their captious questions. If these poor people took the oath of abjuration, other stumbling blocks were thrown in their way. It would have been asked at them, 'If the rising at Bothwell bridge was rebellion? if the killing 'the Archbishop of St Andrew's was murder?' and such like. But, after the violent alarm, excited by the apologetical declaration, was over, those who refused the oath, or declined to answer those questions, were generally subjected to nothing but imprisonment; and at the death of the King, the severities of the government were, for a time, much abated.

Not to interrupt our detail, we hitherto mentioned but slightly the rapacity of Charles's ministers. The great sum which was levied in fines imposed, upon pretexts frivolous or false, in the course of one session of parliament, has already been taken notice of. It was even suspected, that the rigours of administration were heightened, on purpose to provoke the covenanters to rebellion, that the ministry might be enriched with the forfeitures. Those landed-gentlemen, who failed to obey the proclamation for joining the King's forces at Bothwell-bridge, were subjected to rigorous fines. The penalties imposed upon attending conventicles, or hearing unlicensed chaplains, were strictly levied, and in such enormous sums, that there is an instance of a gentleman, on account of his having kept an unlicensed chaplain, and of his lady having heard an expelled preacher, being fined upwards of three

* The case of the three women, who were drowned within sea-mark, mentioned by Hume, v. 8. p. 170. seems hardly to be imputable to government. They had been condemned by inferior judges, were reprieved, *sine die*, by the Court of Justiciary, and recommended to mercy by the privy council. It appears, that, by the brutality of the commanding officer in that distant part of the country, they were executed without orders. Wodrow, v. 2. p. 507.

† Records of privy council, No. 5. p. 36. Hind let loose, p. 185.

thousand five hundred pounds Sterling. The circumstances of the case * were, at the same time, very favourable; for, the parties who were not condemned upon evidence, but upon their own acknowledgement, qualified their confession, by declaring that it was not from disloyalty that they kept the chaplain, but because the lady was so valetudinary that she could not attend the church.

Lauderdale's extortions had extended to a pitch of infamy, that equally deprived him of inclination and capability to conceal them. The convention of royal boroughs paid him an annual pension for his countenance and protection. He fell upon a notable expedient for squeezing money from the city of Edinburgh. He obtained from the King, a grant of the village called the Citadel of Leith, erecting it into a free borough of barony and regality, with many privileges and immunities, dignified with the pompous name of *Charlestown* Lauderdale's drift in obtaining this grant was, that the magistrates of Edinburgh should purchase it from him at an extravagant * price, as it somewhat interfered with the interests of that city. They treated with him accordingly about the purchase. They durst not incur his displeasure, by falling short of his demands; but paid him for this feather, the exorbitant price of L.6000 Sterling. Through the interest of Lauderdale, the corporation of Edinburgh, obtained a grant of certain duties upon all wine and beer consumed within the city, to discharge its debts: For this he was gratified with L.11,000 Sterling. When ministers are rapacious and mercenary, it is not to be expected that their inferiors will be disinterested. Accordingly, we find the city-clerk of Edinburgh, who went to London to manage this job with Lauderdale, and others in the same office, who went at different times, on similar expeditions, imitating the rapacity of their superiors, to the destruction of the city's revenue.

* * * * * * * * * *

In the period we have described, the finer feelings of the soul, the delicate traces of manners, are lost amidst the fury of civil contention. Nothing is to be discovered but the violence of party-spirit drowning the cries of humanity, overflowing the bounds of justice, and habituating the mind to an utter contempt of morals; to a sacrifice of every law, human or divine, to gratify the selfishness of individuals, or accomplish the purposes of faction. This aera, indeed affords an examplary instance, that nothing so deeply perverts the judgment, and corrupts the heart, as the fury of civil contention, when excited by religious bigotry.

* Records of privy council, No. 5. p. 44; Wodrow, v. 2. p. 49.
† Maitland's Hist. p. 98. 99. 101.

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On the one hand, we behold the crown betrayed into tyrannical measures, by the fanatical and seditious principles of the people. On the other, we see the people actuated by no love for civil liberty; but contending, with the fury of tygers, for particular doctrines, or even forms of religion. From circumstances such as these, the adversaries of our faith have boasted, with invidious triumph, that in the wide range of antiquity, no religion but the Jewish, the foundation of our system, breathes a persecuting and intolerant spirit; whereas the Christian sects have been disgraced by a swelling catalogue of crusades, massacres, proscriptions, and assassinations.

The most distinguishing feature of the presbyterians, was a gloomy and morose contempt of the social pleasures, and a rigid exercise of (what they termed) *the duties of religion*. The preachers, instead of recommending to their followers to keep their appetites and passions in due subjection, taught them, that to delight in sensual enjoyments was sinful, and to mortify them highly meritorious. They went further; they conceived the deepest guilt, or the highest exertion of piety and virtue, to consist in matters to the last degree trifling or absurd. The divines gave scope to their imagination in describing those ideal instances of godliness or iniquity. The second and the fourth commandments were the favourite topics of their declamation. They could perceive idolatry in the disposition of a lady's head-dress *, or the adjusting of her cloaths; and multiply to an inconceivable extent the variety of transgressions of the † decalogue. The strict observance of the *Sabbath*, they inculcated in its most gloomy austerity. To go on that day to the threshold, or to walk through one's own house, if with a view to any worldly purpose, or even idly, was held a deeper crime than deliberate murder.

Upon the restoration, a different, and even opposite manner of living (at least with the royalists) took place. Hospitality was revived and indulged to excess. Horse-races, cock-fighting, and ‡ other amusements, were cultivated. The nobility and gentry gratified their vanity in the splendour of their retinues. It became a matter of policy with the government to encourage any circumstance which could mark the distinction of ranks; to this effect, coronets, which had not hitherto been uniformly borne by the nobility, nor distinguished by marks, pointing out the different orders to ‖ which they belong, were appointed by the king to adorn their armorial

* Durham on the ten commandments, p. 251. 272. 274. 275.

† Durham, in treating of the second commandment, disposes the modes of sinning against it, and the arguments to prove these modes to be sins, into numerical divisions and subdivisions, to the extent of 700, and upwards.

‡ Mercurius Caledonius, p. 18. 73. 118. 122.

‖ Records of privy council, No. 1. p. 481.

bearings. An expedient much more effectual was devised for making out and perpetuating the distinction of ranks, for supporting nobility of birth, upon the solid basis of indissoluble opulence of possession. The proprietors of lands were allowed to devise their estates by deed * of *entail*, to any series of heirs, and to endless generations; to such effect, that they could neither be sold nor burdened by the proprietor for the time being, nor attached by his creditors; nor the will of the *entailer* be disappointed by any device whatever. Public solemnities, especially funerals, were celebrated with an extravagance of pomp, which at once † displayed the vanity of the conductor, and reduced him to poverty. It was found necessary to restrain, by a sumptuary law, this absurd extravagance ‡.

* James VII. parl. 1. sess. 1. c. 22.

† See the funeral of Archbishop Sharp, appendix, No. IV. and of the Duke of Rothes, appendix, No. V. Charles II. parl. 3. c. 14. 1681.

‡ In this period, the royal college of physicians was erected by patent. Before that, the city was overrun with quacks and mountebanks. There is a lively instance of the deplorable state of the science of medicine in the records of the privy council. One *Joannes Michael Philo, physician*, sets forth to the privy council, that his Majesty had allowed him to *practise his profession* in England, and for that purpose *to erect public stages*; and he intreats the same liberty in this kingdom. The council, accordingly, allow him to erect a stage in the city of Edinburgh; but they also appoint the petition to be intimated to, and answered by the *Master of Revells*, against the next meeting of the council; and, in the mean time, discharge *the physician to practise rope dancing*. Records of privy council, No. 2. p. 609. 27th June, 1763.

A

TABLE

Of the Prices of Provisions from A. D. 1600, *to A. D.* 1685.

		Sterling.	*L.*	*s.*	*d.*
1629.	May 31.	A pair of chickens	0	0	4
		A dozen of fowls	0	4	0
	June 4.	A dozen of eggs	0	0	$1\frac{1}{2}$
	15.	Two salmon	0	0	8
	19.	A salmon	0	0	10
	October 11.	A side of beef	0	5	$6\frac{2}{3}$
		Two carcases of mutton	0	5	0
		A pound of candles *	0	0	5
	25.	A boll of salt	0	13	4
	28.	A pound of butter	0	0	5
1630.	January 10.	*Three dozen of onions*	0	1	0
	17.	A peck of salt	0	1	$1\frac{1}{3}$
1650.	May 10.	A lamb †	0	1	6
		A salmon	0	1	2
		Plumbdames, (*i. e.* prunes) per pound	0	0	4
	11.	A lamb	0	1	9
	12.	A choppin of vinegar	0	0	6
	14.	A choppin of milk	0	0	1
	17.	A carcase of mutton	0	5	0
	June 20.	A salmon grilce	0	0	4
		A dozen of eggs	0	0	2
	21.	A side of veal	0	2	6
	July 3.	A dozen of whittings	0	0	2
1653.	January 6.	A pound of candles	0	0	$6\frac{2}{3}$
		A fowl	0	0	5
	January 8.	A dozen of eggs	0	0	3
	12.	A fowl	0	0	6
		A dozen of haddocks	0	0	$4\frac{1}{3}$
		A carcase of beef	1	5	10
	22.	*Two dozen of parsnips*	0	0	6
	February 5.	A dozen of haddocks	0	0	6
	15.	A salmon	0	1	0
	18.	A dozen of fowls	0	7	0
	March 9.	A peck of salt	0	0	10

* Diet Book of King's College, Aberdeen, beginning May, 1629, in the archieves of King's College.

† Ditto, beginning 10th May, 1650.

		L.	s.	d.
	May 6. Half a pound of hops	0	0	5
	30. *Plumbdames* per pound	0	0	5
	June 3. A peck of salt	0	0	6
	10. A lamb	0	2	6
	July 1. A pound of butter	0	0	$4\frac{1}{3}$
	A choppin of milk	0	0	1
	The highest prices of wines, per retail, over all Britain and Ireland *, viz.			
	Canary and Muscadell wines per English quart	0	1	6
	Rhenish ditto per ditto	0	1	0
1656.	Gascony and other French wines per ditto	0	0	7
	A pair of † pidgeons	0	0	2
1660.	May 29. For a bonefire at the College			
1661.	gate	0	13	4
	A mason's wages per day	0	1	$4\frac{2}{3}$
	To ditto *for his morning's drink and four-hours*	0	0	4
	A barrowman's wages	0	0	$6\frac{1}{3}$
	Morning's drink and four-hours for ditto	0	0	4
	Allowance for the principal's and professor's diet, at the College table, per quarter each	1	16	8
	For their servants, per ditto each	1	0	0
	For the beadles per ditto each	1	0	0
	A professor allowed for his charges at Edinburgh, per day	0	3	4
	A horse hire from St Andrews to Queensferry	0	5	10
	An imprisoned robber's ‡ allowance per day, payable by the exchequer	0	0	4
	Postage of a ‖ single letter to Glasgow	0	0	2

* Declarations, ordinances, and proclamations of Oliver Cromwell, 17th September, 1656.

† Authenticated accompts of receipts and discharges, by John Drenan, factor for the New College, St Andrews, A. D. 1658. et seq. in the archieves of that college.

‡ Records of privy council, No. 1. p. 12. 9th July, 1661.

‖ Ibid. p. 186. 16th Sept. 1662.

		L.	s.	d.
	Postage of all beyond Glasgow	0	0	3
	Postage of a letter to Ireland	0	0	6
	Wine glasses per dozen *, made at the Citadel, Leith	0	3	6
	Mutchkin (or English pint) bottles made at ditto per do.	0	2	6
	Choppin bottles per dozen	0	4	6
	Scots pint bottles per dozen	0	9	0
	Scots quart ditto per ditto	0	18	0
1666.	When rough † beer is 10s. per boll, Linlithgow measure, then ale shall be sold per Scots pint at	0	0	1
	With the addition of one-sixth of a penny as excise in country parishes, and one-sixth more in the city of Edinburgh,			
	When beer is at 13s. 4d. the pint of ale shall be	0	0	$1\frac{2}{3}$
	When at 16s. 8d. the pint of ale shall be	0	0	2
1667.	Scottish cavalry furnished ‡ with a stone of hay, or 18 pounds ‖ of straw, for	0	0	5
	February 20. Postage of a single ** letter from London	0	0	4
	Straw per stone ††, 2d. hay	0	0	$2\frac{1}{2}$
1678.	September 2. A pair of partridges ‡‡	0	0	8
	3. A hare	0	0	$4\frac{1}{2}$
	4. A pair of pidgeons	0	0	2
	6. A pair of chickens	0	0	4
	11. A pair of ducks	0	1	0
	A dozen of flounders	0	0	4
	28. A carcase of veal	0	6	8
	October 3. *Eight dozen of onions*	0	0	$10\frac{2}{3}$
	November 8. Whittings per dozen	0	0	4
1679.	March 10. A turkey	0	3	4

* Kingdom's Intelligencer, 14th Jan. 1664. p. 1025.

† Records of privy council, No. 1. p. 534. Jan. 18, 1666.

‡ Ibid, No. 2. p. 19. 19th Dec. 1667.

‖ There was no sown grass in Scotland till the beginning of the present century. The hay here spoke of, was a miserable species of herbage which grew spontaneously in wet lands.

** Records of privy council, No. 2. p. 39. Feb. 20, 1668.

†† Ibid No. 3. p. 506, 1677. ‡‡ Household-book of the Earl of Haddington, beginning 31st August 1678, in possession of the Earl of Selkirk.

		L.	s.	d.
	11. Oysters per 100	0	0	10
	A pair of moor-fowl	0	2	0
	Apples per dozen	0	0	5½
	12. A pound of anchovies	0	8	1¼
	13. A dozen of lobsters	0	3	0
	A lamb	0	9	2
	A capon	0	0	9
May	21. A sole	0	0	6
July	7. A young turkey	0	1	5
	22. For six sollen geese and their carriage, (that were got when the Duke of Monmouth came)	0	15	6
August	21. Lemons per dozen	0	2	0
	Oranges per ditto	0	2	0
	A barrel of cucumbers	0	6	0
	22. For confections (that were got when the Duke of Monmouth was here)	3	7	2⅔
November	8. A pound of mace	0	13	4
	Ditto of nutmegs	0	6	0
	Two puncheons of claret wine, excise and all	13	0	0
	For a puncheon of claret (*when Lord Binning was christened*)	5	0	0
1682. December	6. A carcase of mutton *	0	2	6
	A pound of butter	0	0	4¼
	8. A dozen of eggs	0	0	2
	A pair of hens	0	0	11
	12. A pair ditto	0	1	0
	15. Carcase of an ox	1	3	4
	25. A salted ox	1	10	0
	A goose	0	1	5
	27. A pair of hens	0	0	8½
1683. January	1. A carcase of beef	2	1	8
February	22. A hog	0	10	8
March	6. A pig	0	0	8
	9. A capon	0	0	8
	10. Pidgeons per dozen	0	0	10
	19. A carcase of beef	2	8	4
May	11. A pair of hens	0	0	10
	19. A lamb	0	1	8
	22. A pair of chickens	0	0	3
	30. A carcase of beef †	3	6	8

* Diet book of St Salvadore's college, in the archieves of the united colleges, St Andrews, beginning A. D, 1682.

† It is remarkable, that in a whole term, which then lasted about nine

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DINNER at King's College Table, Aberdeen, 31st May 1650.*

Sitters at the first table 14, therefore, of wheat bread seven loaves, ale, 7 pints, (Scots measure). Sitters at the second table 8, therefore, of oat-bread, 4 loaves, ale, 4 pints. Pantry men 3, therefore, a loaf and a half, and of ale, 1 pint, 1 choppin. Bursar 22, to them and to the Principal's man, 11 loaves and a half. One salmon and a cut, haddocks, four dozen and a half, *plumbdames* (*i. e.* prunes,) 4 lb. three legs of lamb, and two fowls, in a dish of broth.

SUPPER.

Sitters at the first table 16, therefore, of oat-bread, 8 loaves, and of ale 8 pints. Sitters at the second table 7, to them three loaves and a half, and of ale three pints and a choppin. Pantry men 3, to them two loaves and a half, *one and a half to eat, and one to the milk.* Servants 4, to them two loaves and a half. Bursars 20, therefore, ten loaves. *Plumbdames*, 4 lb. haddocks, 4 dozen, salmon, 3 cuts, 4 eggs, lamb, 5 quarters, and a quart of milk, with 4 loaves of wheat-bread.

DINNER, June 2.

Sitters at the first table twelve, at the second table six, pantry men three, bursars twenty-one, servants four, (to all these, bread and ale as in the preceding), beef, six *tailzies*, (cuts or pieces), *viz.* three to the high table, one to the second table, and two for skink. Plumbdames four lb. lamb three legs, haddocks four dozen.

SUPPER.

Sitters at the first table fifteen, at the second six, pantry men three, bursars twenty-one, servants four; having bread and ale conform. Lamb, four legs, plumbdames, four lb. eggs five dozen, milk, a quart, with four loaves of wheat-bread.

SUPPER in the Right Hon. the Earl of Haddington's House of Tynningham, Friday, 2d of May 1679.

Present, the family †, the Dutchess of Hamilton, Sir Donald Carmichael, the Laird of Humbie, and others.

months, fish are not mentioned above four times; and, when they are mentioned, the terms are so general, that their prices cannot be ascertained. No mention at all is made of garden stuff. For the prices of grain during this period, see in Appendix No. VII, a table of the prices of grain from A. D. 1645, to A. D. 1777, *inclusive.*

* Diet-book of King's College table, Aberdeen *ut supra.*

† Household-book of the Earl of Haddington, beginning 31st August.

Two pieces of fresh beef, one piece of veal, a piece of roasted pork, mutton baked, and done in collops, six pieces; five fowls boiled, five ditto roasted, sixteen chickens, sixteen pidgeons, two sides of lamb, a tart, seven wild fowl, ten chickens stewed; of ale, eight gallons,* sixty-eight rolls, seventy-two loaves.

DINNER on Monday the 7th of July.

Present, the Duke of Monmouth, three Marquisses, thirteen Earls, and many Gentlemen.

Of fresh beef, six pieces, mutton, nineteen pieces, pork, four pieces, veal, five pieces, eight tongues and six udders, eight marrow-bones, nine geese, three sides of lamb, two collared pigs, fourteen roast hares, three stewed hares, thirty-four roasted chickens, sixteen baked ditto, thirteen stewed ditto, eight fricasseed ditto, twenty-eight ditto for pottages, twelve roast fowls, nine ditto in pottage, three hams, thirteen roast ducks, six stewed ducks, seven moor-fowls, fifty pouts,† six lobsters, two salmon, one * * * four soles, three haunches of venison, three old turkies, ten young turkies, two dozen of crabs, two dozen of flounders, two grand sallads, two * * * twenty gallons of ale, two hundred rolls, one hundred and sixty loaves.

DINNER on Thursday the 21st of August, 1679,
(*My Lord's Son was Baptized.*)

Of fresh beef, six pieces, mutton, sixteen pieces, veal, four pieces, three legs of venison, six geese, four pigs, two old turkeys, eight young turkeys, four salmon, twelve tongues and udders, fourteen ducks, six roasted fowls, nine boiled fowls, thirty chickens roasted, twelve ditto stewed, eight fricasseed, ten in pottage, two sides of lamb, twenty-two wild fowl, pidgeons baked, roasted, and stewed, one hundred eighty and two, roasted hares ten, fricasseed six, three hams.

SUPPER.

Roasted mutton, two pieces, two ditto in collops, twenty-six roasted pidgeons, six hares, sixteen gallons of ale,‡ an hundred rolls, a hundred and twenty-four loaves.

1678, and ending 8th November 1679, in possession of the Right Honourable the Earl of Selkirk.

* A Scots gallon contains sixteen English quarts; so there had been used of ale, ten dozen and eight English quarts.

† Young moor-fowl.

‡ During the fifteen months that this household-book comprehends, we have discovered *three tierces* and five puncheons of claret to have been purchased; one puncheon of white wine, a quantity of brandy, and some other liquors, in very small quantities. How much wine was used occasionally, is not mentioned, only that, on certain days specified, a puncheon of wine was pierced. A puncheon of wine was the same with our present hogshead. A tierce contained three-fourths of a puncheon.

CHAPTER V.

JAMES VII. mounts the throne—Servility of the people and Parliament—Severities of Government—Tumults in Edinburgh upon the landing of the Prince of Orange—Convention of Estates settles the Crown on William and Mary—The Presbyterian Religion is substituted in room of Episcopacy—Rigours of the new Government—African Company—Accession of Queen Anne—Trial of Green the Pirate—The Union—Discontent of the People—Rebellion 1715*—Manners—Table of the prices of Provisions from* 1685 *to* 1715.*—Specimens of the Table of the Dutchess of Buccleuch and Monmouth.*

JAMES VII. during his residence in Edinburgh, when Duke of York, had courted popularity not altogether unsuccessfully. The town-council, on his entry, * received him with great pomp, and entertained him at an expence which testified their loyalty more than their economy†. The college of justice, in their robes, paid their compliments to him upon that occasion. The council offered King Charles a supply of seven months cess, to assist him in supporting the Duke's succession. Upon James mounting the throne, they presented a loyal address, and were so delighted with the affectionate ‡ letter which his majesty sent them in return, as to order a box of curious workmanship to be made for it at a considerable expence. The council, to continue themselves in favour at court, upon this, as upon former occasions, made a handsome || present, or bribe, to the secretary of state.

1685.

Soon after James's accession, a parliament was held at Edinburgh. They seemed to glory in the solemnity with which they made a surrender of their liberties into the hands of their Sovereign. They made an act, in which they adopted a pompous and fabulous narrative, of the nation's having, for a period of two thousand years, been ruled with felicity and glory,

* Council Register, 1680, p. 175. and 224; Fountainhall's Decisions, v. I. p. 114.

† The Duke and Dutchess of York, the Lady Anne, afterwards Queen of Great Britain, and the whole court of Scotland, were present at this entertainment. It was given in the parliament-house; but, to accommodate the company, it was found necessary to pull down the partition which divided, and where a new wall still divides, the outer parliament house from the place where the booksellers stalls are kept. The expence of the entertainment exceeded L.1400 Sterling.

‡ Council Register, 1685, p. 152.

|| The present to my Lord Melfort, secretary, was L.800. Council Reg. 1685. p. 174. and 176.

by the lineal sceptre of a hundred and eleven monarchs. Then they proceeded to acknowlede the 'King's * sacred, supreme, 'absolute power and authority, which none, whether persons 'or collective bodies, could participate of, but in dependence 'on, and by commission from him.' And to enable him to support these positions, they declared, that the whole nation, from sixteen to sixty, should be in readiness to assist his Majesty where, and as oft as he should please to require them. At the same time, the whole excise, both on inland and foreign commodities, was annexed to the crown for ever. By other statutes, to embrace the covenant, to write in its defence, or acknowledge it to be obligatory, were declared to infer the crime of treason. And, on the other hand, every person was commanded to take the *test*, under a pecuniary † penalty, at the discretion of the privy council.

The courtly complaisance of the parliament did not, however, free the people from being suspected of disaffection. The violences in the late reign, which had been so disagreeable to them, were now avowedly exercised with the utmost severity and imprudence. The ministry were naturally jealous of those to whom they had given such cause of offence. Accordingly, upon the invasion threatened by Argyle, the magistrates renewed, under high penalties, an edict they had published by orders of the privy council, a few days before the late king's decease, whereby masters of families were obliged to give up to them, upon oath, lists of all persons ‡ in their families, and of strangers lodging with them; 'because many 'disloyal people were reset' (*i. e.* harboured among them). The report of the invasion was supposed to be a pretence trumped up by government, for raising men and money to promote their oppressive measures. When certain accounts of the invasion were received, it was determined that the college of justice should be regimented and armed in defence of government. But Argyle's being brought prisoner to Edinburgh, where he was soon after beheaded, rendered that measure || unnecessary.

1686. The public attendance upon mass by the chief officers of state, about this time, excited a tumult in Edinburgh. A rabble of apprentices and others insulted the chancellor's lady, and other persons of distinction, when returning from their chapel. The affront was resented with great severity. A journeyman baker being ordered by the privy council to be whipped through the Canongate, for being concerned in the riot, the mob rose, rescued him from pu-

* James VII. parl. 1. c. 2. 5. 13.

† Mr Hume is mistaken in saying, that to refuse the test, if ordered by the privy council, was declared to be treason. See Hume's Hist. v. 8. p. 230.

‡ Fountainhall, v. 1. p. 331. and 362. || Hume's Hist. v. 8. p. 231.

nishment, beat the executioner, and continued all night in an uproar. The king's foot guards, and soldiers from the castle, were brought to assist the town guard, in quelling this disturbance. They fired among the mob, and killed two men and a woman. Next day severals were scourged; but the privy council were so afraid of the populace, that they appointed a double file * of musqueteers and pikemen, to prevent the sufferers from being rescued. An information was, at the same time, lodged against a drummer, by two papists, for saying, 'he could † find in his heart to run his sword 'through them;' and although he declared that he meant the rabble, not the papists, he was condemned and shot to death. And a fencing master, for approving of the late tumult, and drinking confusion to the papists, although at the same time, he drunk the king's health, was hanged at the cross.

Notwithstanding those severities, and the discontent they behoved to produce ‡, the magistrates, upon an act being passed, restoring the summer-session, sent his majesty a letter of thanks for that favour, in which they || assured him, 'of their 'most hearty devotion to his service, being ready with their 'lives and fortunes to stand by his sacred person upon all oc-'casions, and praying the continuance of *his princely goodness* '*and care* towards this his city.' The king also restored to them the impost upon ale, which, although § it continued to 1688. be levied from the inhabitants, had, it seems, been seized by the treasury, and added twelve years to the former grant of that duty. And the guard of 108 men, which the town were obliged to support, was reduced to fifty.

The press groaned under that restriction which was imposed on every species of liberty. No books were allowed to be printed without consent of the chancellor. To insert articles in the news-papers, without licence from the bishop of Edinburgh, or some member of the privy council, had ¶ already been prohibited; and various persons were imprisoned for publishing or selling books reflecting on popery, while those in its favour were published with impunity. Nay, so great was the partiality in behalf of this religion, that a popish printer's press and effects, which were seized for his house rent, were violently rescued from the landlord, and the printer protected in the abbey. And such was the zeal for conversion,

* By an act of King James VII. parl. 1. sess. 2. c. 12. judicious regulations were established for cleaning the streets, and freeing them from beggars, to which it were to be wished a more uniform attention had been paid.

† Fountainhall, v. 2. p. 399. 401. 407.

‡ James VII. Parl. 1686, act 5th. || Council Reg. 1686, p. 316.

§ Maitland's History of Edinburgh, p. 108. ¶ Fountainhall, v. 1. p. 73.

that a popish college in the abbey printed their rules *, *and invited all children to be educated there gratis.*

The effects of these, and similar violences, by which the constitution was totally annihilated, were conspicuous in Edinburgh, as in other parts of the kingdom. No sooner was it known that the Prince of Orange had landed, and that the regular troops were withdrawn to reinforce the English army, than the presbyterians, and other friends to the revolution, flocked to Edinburgh from all quarters. Great severities were exercised upon papists, episcopals, and friends to the unhappy and exiled royal family, of whatever denomination. The Earl of Perth, chancellor, fled from Edinburgh; and the government fell entirely into the hands of revolutioners. A mob rose, drums were beat through the city, the inhabitants assembled in great multitudes. They proceeded to demolish the chapel of Holyrood-house; but were opposed by a party of about a hundred men stationed in the abbey †, and who adhered to the interests of James. The mob pressing forward, were fired upon by this party; about a dozen were killed, and thrice as many wounded, upon which they fled for the present; but quickly returned with a warrant from some lords of the privy council. They were headed by the magistrates, town guard, trained bands, and heralds at arms, who required Wallace, the captain of the party, to surrender; and upon his refusal, another skirmish ensued, in which Wallace's party were defeated, some being killed, and the rest made prisoners. Then there was nothing to resist their fury. The abbey-church and private chapel were robbed and despoiled of their ornaments, the college of the Jesuits almost pulled in pieces, and the houses of the Roman Catholics plundered. The Earl of Perth's cellars became a notable prey to them; and wine, conspiring with zeal, inflamed their fury.

None were more forward than the council of Edinburgh in offering their services to the Prince of Orange; and those men who so lately declared to king James, 'That 'they would stand by his sacred person upon all oc- 'casions, and who prayed the continuance of his princely 'goodness and care,' were now ‡ the first in 'offering their 'services to the Prince of Orange, in complaining of the hell- 'ish attempts of Romish incendiaries, and of the just griev- 'ances to all men, relating to conscience, liberty, and pro- 'perty.'

Dec. 28.

After the chancellor's flight, the marquis of Athole, the next officer of state, who declared violently in favours of the Prince

* Fountainhall, v. 1. p. 403, 482, 502. Declaration of Estates.
† Scott's Hist. of Scotland, p. 702. Balcarras's Memoirs, p. 38. et seq.
‡ Council Reg. 1688, p. 277.

of Orange, assumed to himself the reins of government; but, upon his going for London, the college of justice regimented and armed * themselves, and kept tranquillity in Edinburgh, till an order for disbanding them was obtained at the Duke of Hamilton's instigation.

1689.

March 14. A convention of estates was held at Edinburgh, which declared † that king James having assumed the regal power, without taking the oath required by law, and altered the constitution of the kingdom by an exertion of arbitrary power, forfeited his right to the crown, which they settled on William and Mary; and presented a list of grievances to be redressed. They also, because ‡ the former elections had been subject to undue influence, ordained a new election of the magistrates and ordinary council of Edinburgh, to be made in St Giles's church, by poll of the burgesses who were liable for public burdens, and for watching || and warding, honorary burgesses being excluded. And they deprived several ministers § of Edinburgh of their churches, because they declined to pray for the newly appointed sovereigns. The meeting of estates was converted into a parliament, prelacy was abolished, and the presbyterian form of church-government was established in its place.

These important innovations were not affected without opposition and disturbance. The Duke of Hamilton, and other friends to the revolution, brought in publicly several companies of foot which were quartered in the city, besides multitudes that were hid in garrets and cellars. Edinburgh castle was kept in behalf of James, by the Duke of Gordon, its governor. The lords Balcarras and Dundee also supported the interest of the exiled monarch. The latter of these noblemen, upon information of an attempt to assassinate him, left Edinburgh at the head of fifty horse. In passing by the castle he clambered up the rock, and held a conference with the Duke of Gordon. The novelty of the sight attracted a multitude of spectators; and it was reported in the city, (where the convention was then sitting,) that there was an insurrection of the adherents of Dundee. A general panic ensued. Drums were beat through the city. The troops introduced by the Duke of Hamilton assembled. The members of convention being confined in their hall, were terrified at the noise and uproar. The doors of the convention being afterwards thrown open, most of James's friends ¶ deserted the royal cause, or left a city where they were exposed to

* Balcarras's Mem. p. 58.

† Scott's Hist. Acts of Estates of Parliament 1689.

‡ Journals of Parliament, April 5, 1689.

|| A species of borough service customary in Scotland. § Ibid. April 26.

¶ Balcarras's Mem. p. 69. et seq. Scott's Hist. p. 705. London Gazette, No. 2463. Dalrymple's Memoirs, p. 287.

June 13. such alarms and dangers. And the castle, which had been besieged, being poorly supplied with provisions, quickly surrendered.

The new-modelled government entertained such a jealousy of the college of justice, as to disarm all its members; commanding them, under the highest penalties, to deliver up their whole arms (wearing swords excepted) to the Lord Provost of Edinburgh. They treated James's friends with considerable severity. The common jail of Edinburgh was crowded with suspected persons. The Lords Balcarras and Kilsyth, and several gentlemen, were confined there, in separate dungeons, like the meanest malefactors; and, although the rigour of their confinement was abated, some of them were kept there for several years, notwithstanding the bribes taken by Lord Melvill, the Secretary, to procure their release. Nay,

1692. there is the most complete proof, that torture * was repeatedly used to extort evidence, although, by the declaration of estates, it was expressly pronounced to be contrary to law. Connection will excuse us for anticipating somewhat in our detail, by observing in this place, that some pamphlets being printed in the year 1700 †, reflecting upon government, the whole printers in Edinburgh were summoned before the privy council, and two persons were imprisoned. The government exerted a still higher stretch of authority, for an engraving being executed, wherein various figures, pictures, and names, were represented, several persons ‡ were apprehended; and the author, and one who assisted, were actually tried for high treason before the court of justiciary.

1695. A company for trading to Africa and the Indies, was established, and favoured with considerable privileges, by an act of parliament in the year 1695. The Scottish nation universally flattered themselves with the most eager and unbounded prospects of extended trade and empire, from the establishment of this company. But their sanguine expectations tended only to make them feel the more bitterly their cruel || disappointment and mortification; a disappointment that not only ruined many families, but excited a dangerous ferment in the nation, which well nigh ter-

* Criminal Register of Edinburgh, p. 1.; Records of privy council, 13th June, 18th July 1689, 14th March 1690; Balcarras's mem. p. 85.; Journals of Parliament, 18th April 1689; Swift's Works, vol. 13. p. 312. et seq. p. 318. † Edinburgh Gazette, No. 135.

‡ Records of Justiciary, 14th and 22d April, and 24th May 1701; Edinburgh Gazette, No. 213. 217.

|| Acts of the Scottish Parliament, 26th June 1695; Lockhart's Memoirs, p. 29.; De Foe's History of the Union; Scott's History, p. 710. et seq.; Smollet's History of England, v. 9. p. 195.; Printed list of Adventurers; Edinburgh Gazette, No. 8, and 36.; Macpherson's History of Britain, v. 2. p. 170.

minated in open rebellion. England was jealous that this company would rival its trade. William, like a severe and partial father, used every means to crush it, both at home and abroad; and the English, Dutch, and Spaniards, from inclination, as well as direction, were alert ministers of his vengeance.

The company being established L. 400,000 Sterling was
1696. subscribed by Scotsmen residing in Scotland. Six ships of considerable force and burthen, laden with various commodities, sailed from the Frith of Forth. The news of the settlement on the Isthmus of Darien, arrived at Edinburgh on the 25th March 1699, and was celebrated with the
1698. most extravagant rejoicings. Thanks were publicly offered up to God in all the churches of the city. At a public graduation of students, at which the magistrates, in their formalities, attended, the professor of philosophy pronounced a harangue in favour of that settlement, the legality of which, against all other pretenders, was maintained in their printed theses; and it seems even to have been a common subject of declamation from the pulpit.

The company felt severely the influence of its powerful opponents. The petitions and complaints of the company and the parliament, and the murmurs of the people were equally disregarded. Upon news being received of the defeat of the
1700. Spaniards who attacked our settlement, a mob rose, obliged the inhabitants to illuminate their windows, committed outrages upon the houses of those who did not humour them by compliance, secured the avenues to the city, and proceeded to the tolboth, the doors of which they burnt, and set at liberty two printers, who had been confined for printing pamphlets reflecting on the government. But when it was understood that they were driven from their settlement, their capital lost, and their hopes utterly extinguished, they were seized with a transport of fury. Violent addresses were presented to the king; and the mob were so outrageous, that the Commissioner, and officers of state found it prudent to retire for a few days, lest they should have fallen sacrifices to popular fury *.

Upon the accession of Queen Anne, it was found not expedient to call a new parliament; and that which sat during the
1702. reign of the late king, was assembled by her majesty's command. The duke of Hamilton, and seventy-

* An act was passed in the year 1698, regulating the manner of building in Edinburgh, with regard to strength, conveniency, and security from fire. The utility of these regulations was made conspicuous by a fire, which in the year 1700, committed dreadful devastation, laying waste most of the buildings to the south and east of the parliament-square; by which, it was computed, near 200 families were dislodged. William, parl. 1. sess. 7. cap. 8.; Council Register, vol. 36. p. 475.; Edinburgh Gazette, No. 98.

nine members, protested against it as illegal, and withdrew from the assembly. The faculty of advocates passed a vote among * themselves in favour of that protest, declaring it to be founded in the laws of the kingdom, for which they were prosecuted before the parliament, and sharply reprimanded, which gave great offence to the nation.

The discontent which the Scots felt at the loss of their settlement in Darien, which they imputed, in a good measure, to the ill offices of the English, produced an event, which although not important in itself, inflamed their national animosity. A ship belonging to the African company was seized in the Thames. They solicited restitution in vain from the English ministry; but upon making application at home, they obtained authority from the government, to seize, by way of reprisal, a vessel, (captain Green, commander,) belonging to the English East India Company, which put into the Forth. The unguarded speeches of the crew, in their cups, or their quarrels, made them be suspected, accused, and, after a full and legal trial, convicted of piracy, aggravated by murder, and that committed upon the master and crew of a Scots vessel in the East Indies. Still, however, the evidence upon which they were condemned, was by many thought slight, and intercessions † for royal mercy were used in their behalf. But the populace were enraged that the blood of a Scotsman should be spilt unrevenged. On the day appointed for the execution, a vast mob surrounded the prison, and the privy council, assisted by the magistrates of Edinburgh, then sat deliberating whether the sentence should be executed. The furious intentions of the populace were well known; and the magistrates assured them, that, three of the convicts were ordered for execution.

Mar. 16. 1705.

The Lord Chancellor passing from the privy council in his coach, some one called aloud, 'That the magistrates had 'but cheated them, and reprieved the criminals.' Their fury was instantly kindled into action. The Chancellor's coach was stopped at the Tron-Church, the glasses were broken, and himself dragged out of it. Happily some friends of his Lordship rescued him. But it became absolutely necessary to appease the multitude by the blood of the criminals.

The contiguity and compactness of the British isles, not extensive in territory, and being fortified in their boundaries by the sea, which divides them from the rest of Europe, promise such obvious advantages from their being united under one government, as even, in an early period of our history,

* Lockhart's Memoirs, p. 15.; Scott's History. p. 713.; Smollet's History, vol. 9. p. 275.

† Records of Admiralty, 16th March 1705.; Defoe's History, p. 48.

attracted the attention, and excited the endeavours * of our princes to its accomplishment. Edward I. proposed an union of the crowns by the marriage of his son with the Maid of Norway. Henry VIII. made a similar proposal by a marriage between his son and Mary queen of Scots. And the crowns being united by the accession of James VI. to the throne of England, he earnestly, but ineffectually, attempted his purposed union, not only of the crowns, but of the kingdoms. The same desirable object was again fruitlessly attempted by Charles II.

The national antipathies which had subsisted between Scotland and England from the earliest periods of their histories, heightened by the pride, jealousy, and mutual injuries of both nations, and which had hitherto baffled every attempt towards their union, far from being allayed, were, by recent misunderstandings and offences, exasperated into keener animosity. Among the causes of these misunderstandings and offences, besides the establishment of the African company, which excited the jealousy of the English, who, from motives of policy or revenge, conspired its downfal, and the execution of Green the pirate, which have been already mentioned, there may be reckoned the massacre of Glencoe, a scene which we are happy that the nature of this work does not require us to sully these pages by its description; the mutual jealousies of Scotland and England concerning their respective religions, with the act for securing their civil and religious liberties, passed by the one nation †, and the 'act for preventing dan-
1706. 'gers arising from the act of security,' passed by the other; and the opposite views of different parties in both kingdoms respecting the succession to the crown upon the demise of queen Anne.

This last, however, operated equivocally; for, as the Jacobites dreaded the extinction of their hopes by an union with a nation which had already nominated the house of Hanover to the succession, so the same reason induced the Whigs, with the utmost of their power, to promote the union.

If the passions and interests of the nation, in general, were deeply engaged in an object of such importance, those of the city of Edinburgh behoved to be so in a peculiar degree. Whatever speculative, whatever real advantages Scotland might have promised herself from an union with the neighbouring kingdom, still Edinburgh would suffer in such objects, as, from their nature, behoved to strike the senses powerfully. The withdrawing the national councils, and

* Dalrymple's Annals, p. 190. Hume's History, v. 2. p. 250. Scott's History, p. 172. De Foe's History, from p. 20 to 31.

† Acts of the Scottish and English Parliaments.

every semblance of royalty, mortified her pride, and diminished her wealth and importance. It is not to be wondered then, that a measure so universally unpopular in Scotland should excite the most dangerous ferments in Edinburgh.

To use the words of De Foe *, 'The jacobite and the 'presbyterian, the persecuting prelatic nonjuror and the Ca-'meronian, the papist and the reformed protestant, parled 'together, joined interest, and concerted measures together,' against the union.

The articles had been industriously concealed from the knowledge of the people; but on their being printed, univer-
October. sal clamour and uproar ensued. The outer parliament-house, and the square adjoining (the parliament being then sitting), were crowded with an infinite number of people, who, with hootings, and execrations, insulted the duke of Queensberry, commissioner, and every partizan of the union; while those who headed the opposition were followed with the loudest acclamations. Nor did the populace confine themselves to such empty marks of indignation. On the 23d of October, the mob attacked the house of Sir Patrick Johnston, a strenuous promoter of the union, their late lord provost, and one of their representatives in parliament. By a narrow escape, he saved himself from falling a victim to popular fury. The mob increasing, rambled through the streets, threatening destruction to the promoters of the union. By nine at night they were absolute masters of the city; and a report prevailed that they were going to shut up the ports. To prevent this, the commissioner ordered a party of soldiers to take possession of the Netherbow, and afterwards, with consent of the provost, sent a battalion of foot guards, who posted themselves in the parliament square, and the different lanes and avenues of the city, by which means the mob was quelled.

The panic which seized the commissioner, and others concerned in the treaty of union, was not, however, allayed. In order to their protection, and the support of their measures, the whole army was brought into the neighbourhood of Edinburgh. Three regiments of foot did constant duty in the city, a battalion of guards protected the abbey, and the horse-guards attended the commissioner. None but members were allowed to enter the parliament-square while the house was sitting; and his Grace the commissioner walked from the parliament-house, amidst a double file of musqueteers, to his coach, which waited at the cross, and he was driven from

* De Foe's History, p. 20. 28. 31. Lockhart's Memoirs, from p. 222. to 249. Scott's History, p. 723. Smollet's History, v. 9. from p. 429. to 435. M'Pherson's History, v. 2. p. 354. et seq.

thence at full gallop to his lodgings, hooted, cursed, and pelted by the rabble.

Every expedient valued by * *modern politicians*, as having the most powerful efficacy in promoting conversion, being applied, the union was completed. Although seventy years have elapsed since that period, the temper of the people displayed in their speeches, writings, and particularly in the votes
1708. of a certain house upon the linen manufacture, and Scots militia bills, lead us to suspect † that they have not hitherto breathed a mutual spirit of harmony.

The new laws for collecting the revenue of Scotland being rigorously exercised by swarms of English tax-gatherers, who were poured into the country, rendered its degraded and abject situation more sensibly humiliating and oppressive. The general discontent of the people, with the eager hopes, and pressing instances of the jacobites, induced the Pretender, with the assistance ‡ of a French fleet, to attempt an invasion of Scotland, by landing in the river Forth. The Earl of Leven, commander of the forces, which were neither numerous nor well-affected, upon the first notice of the arrival of a French fleet, communicated the intelligence to the Lord Provost of Edinburgh. The magistrates, and chief persons among the incorporations, being assembled upon this critical occasion, manifested their loyal resolutions in defence of the country, by ordering the town's company of fusilliers to be increased, and agreeing to raise 1200 men, to serve under Lord Leven. But the activity which Sir George Byng exerted, in pursuing the French fleet, and driving them from the coast, rendered their services unnecessary, and freed the nation from the imminent danger to which it was exposed. The magistrates of Edinburgh testified their gratitude to Sir George, by presenting him and the principal officers in the fleet, with the freedom of the city; and, at the same time, a genteel entertainment was provided for them.

The ideas of the people not being reconciled to a violation of hereditary right in the succession to the crown, with the unpopular and violent conduct of administration, excited a
1715. rebellion in Scotland. The council of Edinburgh provided for the security of the town, and the support

* Lockhart's Memoirs, p. 414.

† The council considering, that the seat of parliament being removed to London, their representative would be put to considerable expence in attending it, ordered L.300 a-year to be paid to him. Council Register, 25th November, 1709.

‡ Lockhart's Memoirs, p. 371. et seq.; Scott's History, p. 742.; Smollet's History, v. 9. p. 469. et seq.; M'Pherson's History, p. 390; Maitland's History, p. 113.; Edinburgh Courant, No. 403.; Council Register, v. 39. 11th March, 12th March.

of government, by ordering * the city walls and gates to be repaired and fortified; the sluice upon the north-loch to be dammed up, and trenches to be made; the town-guard to be augmented; the trained bands to be armed; 400 men to be raised and maintained at the city's expence; and armed vessels to be fitted out, to assist the king's ships, in preventing the rebel army from crossing the Forth.

The enterprise began on the part of the rebels with an unsuccessful attempt to seize Edinburgh castle by surprise. The run upon the bank of Scotland was so great, that
Sept. 8. they stopped payment on the 19th September, and ordered their notes to bear interest from that date. About 1500 men, under the command of Brigadier M'Intosh, were conducted over the Forth in open boats, with so much art and address, as to land in East Lothian safely, and without interruption from the armed vessels which cruized along the coast, to obstruct their passage. M'Intosh, with his troops, took possession of Seaton-house. They marched towards Edinburgh; but found it so well guarded and fortified, as to make it imprudent to risk an assault, upon which they repaired to Leith, and fortified the citadel. The Duke of Argyle marched with his forces, intending to dislodge them; but, being unprovided with cannon, was obliged to desist from his attempt. He threatened to return reinforced with artillery;
Dec. 20. and the rebels thought proper to evacuate the citadel. Six thousand troops, demanded from the States of Holland, arrived in defence of government at Edinburgh. Rebellion languished and expired; and tranquillity was restored to the country.

Having in this chapter described the transactions of the city of Edinburgh during the arbitrary reign of James VII. the revolution, union, and rebellion 1715, it may not be amiss to consider the manners and customs of the people, and the prices of provisions during that period.

The magistrates, under authority of a grant by James VI. impowering them to make 'acts, statutes, and ordinances, for 'the good government of the town, and to enforce them un-'der such pains and penalties as they should judge expedient,' exercised their jurisdiction in a manner that would not have disgraced a court of star-chamber. Not satisfied with the different corporations having exclusive privileges to exercise their separate trades, they † erected monopolies of almost every occupation that can be figured. One person got an exclusive privilege of printing news-papers three days in the week;

* Smollet's History, v. 10. from p. 182, to 196.; Scott's History, p. 754. et seq.; Maitland's History, p. 118.; Council Register, 26th October 1715.; Scott's Courant, No. 1544. † Council Register, v. 37. p. 214. v. 29. 10th and 17th August 1709, and 27th March 1702. Edinburgh Gazette, No. 168.; Council Register, v. 49. p. 211.

another of printing burial letters; a third of dispersing burial letters; a fourth of japaning; a fifth of keeping chaises to ply between Leith and Edinburgh; a sixth of keeping stage-coaches going between these towns; a seventh of hawking ballads and last speeches, &c.

Printers were prohibited by them from printing unlicensed * pamphlets, under the penalty of losing the freedom of the borough, and being otherwise *fined and punished at the will of the magistrates.* And they held so watchful an eye over the *education* of youth, that none durst teach dancing in public or private †, within the city or suburbs, without licence obtained from the council. It is not to be wondered, that, among a sour and fanatic people, magistrates so well disposed to exercise authority, should pay particular attention to what they called the duties of religion. A rigorous attendance on public worship was enforced. People called, from their office, *seizers*, patroled the streets, and apprehended those found walking in them during the time of sermon.

They interfered in matters beneath the cognizance of the civil magistrate, and which ought to be left entirely to the discretion of individuals. The council enacted, that, whereas, 'the not obliging all persons to repair timeously to their lodgings ‡ at night, is one of the greatest causes of the abounding of drunkenness, uncleanness, night-revellings, and other immoralities and disorders, both in houses and upon the streets, and is a great hinderance to sober persons in their worshipping of God, in secret, and in their families.' Therefore, they prohibit all persons from being in taverns, cellars, &c. after ten at night, under penalties, at the discretion of the magistrates, according to the degree of the contumacy; discharge vintners to keep people in their houses after ten o'clock, under penalty of 10d. each; order constables to search for, and the guard to inform upon persons found drunk in the streets; and declare their resolution to hold 'two courts in the week, allenarly for cognoscing and punishing of immoralities, such as cursing, swearing, drunkenness, breach of the Lord's day,' &c. and to give informers the third part of the fines as their reward.

Absurd and extravagant punishments for fornication || § continued to be inflicted; the consequence of which was, that child-murder was exceedingly frequent. Four women were condemned for this crime in one day ¶, and died accordingly, declaring that their dread of the pillory was the cause of their murders.

* Council Register, v. 37. p. 475. † Council Register, v. 49. 30th August, 1721. ‡ Ibid, v. 36. p. 862. || See Chapter, 1. § Council Register, v. 37. p. 780. ¶ Fountainhall, Dec. v. 1. p. 126. 137.

Women, in the mean ranks of life, were in the most deplorable condition imaginable. The young, if they lost their chastity, were harrassed and terrified into crimes which brought them to the gallows; and the old, under the absurd imputation of witchcraft, were tormented by the rabble, till, by the confession of an imaginary crime, an end * was put to their sufferings †.

A lively idea may be formed of the number and condition of the poor, from the words of a contemporary author. 'There 'are, (says he), at this day, in Scotland, 200,000 people beg- 'ging from door to door. These ‡ are not only no way advan- 'tageous, but a very grievous burden to so poor a country; 'and, though the number of them be, perhaps, double to what 'it was formerly, by reason of this present great distress; yet, 'in all times, there have been about 100,000 of those vaga- 'bonds, who have lived without any regard or subjection, 'either to the laws of the land, or even those of God and na- 'ture; fathers incestuously accompanying with their own 'daughters, the son with the mother, and the brother with 'the sister. No magistrate could ever discover, or be 'informed, which way one in a hundred of these wretches 'died, or that ever they were baptized. Many murders have 'been discovered among them; and, they are not only a most 'unspeakable oppression to poor tenants, but they rob many 'poor people who live in houses distant from any neighbour- 'hood. In years of plenty, many thousands of them meet 'together in mountains, where they feast and riot for many

* Records of Privy Council.

† That the reader may be enabled to form the more distinct idea of trials for witchcraft, as then conducted, we subjoin the following short account of a trial before the High Court of Justiciary, and an extract from the indictment: Ten women were accused of witchcraft. The facts from which the crime libelled was inferred, were pretty much the same. The indictment against one of them is as follows: 'Nevertheless ye are guilty of the said 'crime, in so far as, about two years since, ye, the said Isobell Elliot, being 'then servant to Helen Laing, in Peastoun, an witch, ye, at her desire, staid 'at home from the kirk, and was present at a meeting with the devil, the said 'Helen Laing and Marion Campbell witches, in the said Helen's house, where 'the devil kissed you, and offered to lie with you, and caused you renew your 'baptism, and baptised you upon the face, *with an waff of his hand like a dew-* 'ing, calling you Jean; and ye being then with child, the devil did forbear 'to lie with you; but, after ye were *kirked*, the devil had carnal copulation with 'you; and, since that time, ye have had several meetings with the devil and 'several witches, and has many times had carnal copulation with him.' They were all convicted on their own confessions, condemned to be strangled at a stake, and burned. Records of Justiciary, Sept. 13. 1678.

What notion shall we form of popular opinions in general, or of those which then prevailed in this country in particular, when his Majesty's Advocate could prosecute, fifteen impartial jurymen convict, and the supreme judges of the nation condemn to the flames, ten women in one day, for having had carnal copulation with the devil?

‡ Fletcher's Works, p. 100.

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'days; and, at country weddings, markets, and burials, and 'other the like public occasions, they are to be seen, both 'men and women, perpetually drunk, cursing, blaspheming, 'and fighting together.'

The nobility and gentry, in public processions, funerals, &c. displayed a degree of pomp unknown in the present times. The Duke of Queensberry, the King's Commissioner, when coming to Edinburgh A. D. 1700, * was met by the magistrates about eight miles from the city, which he entered with a train of near forty coaches, and about 1200 horse. And the riding of parliament, of which we have given a description in the Appendix †, was, we apprehend, a more magnificent procession than any now to be found in Britain, the coronation excepted. Horse-races, so much in vogue at the restoration, were not altogether disused. Public cock matches were held in a cock-pit built in Leith links, ‡ A. D. 1702; and the passion for cock-fighting was so general among all ranks of people, that the magistrates discharged its being practised on the streets, on account of the disturbances it occasioned ||. A public concert of music was held in Bailie Fife's close every Saturday §, at five o'clock afternoon, during the whole winter season. Gentlemen exercised themselves in playing at golf, tennis, ¶ and in shooting with bows and arrows. And scentific dabblers hunted after the perpetuum mobile. **

* Edinburgh Gazette, No 128. † Appendix, No. VI.

‡ Spectators paid for admission into the cock-pit 10d. for the front row; 7d. for the second; and 4d. for the third; Edinburgh Gazette, No 339.

|| Council Register, v. 37. 16th February 1704.

§ Edinburgh Gazette, No. 339.

¶ The Tennis Court, which was in the precincts of the palace, was long ago converted into a weaver's work-shop, and two years ago was burnt to the ground.

** Among a number of extravagant advertisements which appeared about this time, respecting the perpetuum mobile, the reader will accept the following one, taken from the Edinburgh Courant, 15th December 1707: 'These 'are giving advertisement, that, in pursuance of some overtures given in by 'Mr Robert Stuart, minister of the gospel, in January and February last, in 'the Edinburgh Courant, concerning the perpetuum mobile. For the further 'satisfaction of mankind, and clearing their scruples anent the same, there 'was a curious model made at the charges of John Earl of Breadalbane; which 'model will demonstrate the possibility, probability, and practicability of these 'three new discoveries, viz. a balance, by which an equal overcomes an equal 'at the same time. *Secondly*, these being granted, a weight always going 'down, and never going lower. *Thirdly*, these being granted, a clear idea of 'the perpetuum mobile. If any man doubt of these prepositions, the model 'is brought to town,' &c. &c.

A TABLE

Of the Prices of Provisions from A. D. 1685 to 1715.

	Sterling.	*L.*	*s.*	*d.*
1685.	Principal pieces of beef, from 1st December to 1st June, per pound	0	0	$2\frac{3}{4}$
	Ditto, from 1st June to 1st December	0	0	$1\frac{3}{4}$
	Veal, from 1st November to 15th March	0	0	$3\frac{1}{2}$
	Mutton, from 1st June to 1st August	0	0	2
	Ditto, after the 1st August	0	0	$1\frac{1}{2}$
	Pork	0	0	$2\frac{1}{4}$
	No price is mentioned for lamb; but exorbitant rates are forbidden to be exacted for it *.			
	Turkey cock	0	3	6
	Turkey hen	0	2	6
	Tame goose before 1st December	0	0	2
	Ditto in December	0	1	8
	Capon	0	1	0
	Hen	0	0	9
	Cock	0	0	5
	Pair of chickens from 1st April to 1st August	0	0	6
	Pidgeons per pair	0	0	$2\frac{1}{2}$
	Tame duck	0	0	8
	Black cock	0	1	0
	Partridge	0	0	6
	Woodcock	0	0	7
	Muir-fowl	0	0	$6\frac{3}{4}$
	Sollen-goose	0	2	0
	Pig	0	1	0
1688.	Rabbits per pair, skinned	0	0	10
	Oysters per 100	0	0	10
	Fresh butter per pound	0	0	$4\frac{1}{2}$
	These were the prices of the different articles, the best in quality.			
1690.	Prisoner alimented per night	0	0	6
1699.	Best wheat per boll	1	8	4
Mar.	Ditto Barley	1	2	$2\frac{3}{4}$
	Oat meal †	1	2	0
	Ditto per peck	0	1	6
	Broad cloth per yard, from 6s. to	1	4	0
	Brandy per pint	0	4	0

* Council Register, v. 32. p. 180, 182. 188. et seq.

† Council Register; Fountainhall's Decisions; Edinburgh Gazette; Edinburgh Courant; Records of privy council.

		L.	*s.*	*d.*
	Malaga per pint	0	2	4
	Florence ditto	0	2	8
1701.	Claret per bottle	0	1	4
June.	Horses grazed at Woodhall per night	0	0	6
	Ditto, at Priestfield	0	0	7
1702.	Coal at Woolmet per dale	0	8	4
	Small ditto per ditto	0	4	2
	Finest wheat bread, loaf of 6 oz. 8 drop	0	0	6
	Second ditto, 8 oz. 12 drop	0	0	6
	Third ditto, 10 oz. 15 drop, called *mashloch bread*	0	0	6
	Tea per pound, from 14s. to	1	10	0
	Sugar per pound	0	0	8
	But sometimes retailed at the rate of	0	2	0
	Chocolate	0	3	6
	Jamaica pepper	0	2	2
	Starch	0	0	6½
1705.	Woolmet coal per dale	0	11	8
	Use of the cold bath per time	0	4	0
	Use of the cold both per half-year	2	0	0
	Ditto per year	3	10	0
	* Hot bath per time, if one person entered it	0	10	0
	Ditto, if more than one bathed at a time, per head	0	5	0
1707.	Lemons per dozen, from 1s. to	0	3	0
	Choppin bottles per dozen	0	2	6
	Pint ditto	5	5	0
1708.	Best wheat per boll	0	11	11
July.	Ditto beer	0	10	0
	Ditto oats	0	6	10
	Ditto pease	0	5	10
1709.	Best wheat	1	5	0
Feb.	Ditto beer	0	19	8
	Ditto oats	0	13	10
	Ditto pease	0	13	8
May.	Meal sold by the magistrates for the relief of the poor per peck	0	1	0
1710.	Hay sold per stone	0	0	10
Sept.	Tow-wick candles per ditto	0	5	2
	Cotton-wick ditto	0	5	10

* The bath belonged to the company of surgeons. We may, therefore, rest assured that the hot or cold baths were then prescribed for all diseases.

TABLE

Of Her Grace the Dutchess of Buccleuch and Monmouth, kept at Dalkeith, A. D. 1701, *and* 1702.

Present, the family *, Earl of Rothes, Earl of Haddington, Lord Elcho, and three gentlemen.

DINNER.

Saturday, Oct. 4. 1701. First Course, haunch of venison boiled, roast mutton, veal collops, boiled fish, pidgeon pye, brown fricassee of rabbits, whiting pottage.—Second Course, Roasted chickens, eggs in gravy, fried flounders, collard pig, buttered crabs, tarts.

DINNER. Her Grace's Table.

Nov. 8. 1701. First Course, 200 oysters, bacon and pease pottage, *haggis*, with a calf's pluck, beef collops, mutton roasted, three joints, fricassee of five chickens; remove, a roasted goose.—Second Course, six wild fowl and six chickens, buttered crabs, collard beaf, tarts, four roasted hens.——Steward's table.—Beef, one piece, roasted mutton, two joints.——Officers table.—Beef, two pieces, roasted mutton, two joints.——Last table.—Beef, three pieces, mutton roasted, six joints.

SUPPER. Her Grace's Table.

One joint of mutton in stakes, fried toast, broiled whitings, two roasted rabbits.——Steward's table.—Mutton roasted, three joints.——Officers table.—Mutton roasted, three joints, two hens.——Last table.—Mutton roasted, eight joints.

BREAKFAST. Her Grace's Table.

Two joints of mutton in collops, four quarters of roasted lamb, two roasted capons.

DINNER. Her Grace's Table.

June 7. 1702. First Course, a pottage with one chicken, cold pidgeon pye, roasted beef, four fricasseed rabbits, two joints of mutton minced; remove, four boiled capons and bacon.—Second Course, nine roasted chickens, a

* M. S. Household book of the Dutchess of Buccleuch and Monmouth, in the possession of his Grace the Duke of Buccleuch.

dish of tarts, two quarters of roasted lamb, a dish of pease, three roasted lobsters.—For the children, three chickens.——Steward's table.—Roasted beef, plumb pudding.——Officer table.—Boiled mutton, three joints; roasted beef, plumb pudding.——Last table.—Six joints of boiled mutton, four pieces of roasted beef.

BREAKFAST. Her Grace's Table.

Two joints of veal in collops, six roasted chickens, eggs in the shell, four joints of roasted mutton.

DINNER. Her Grace's Table.

July 12, 1702. First Course, pease pottage with a hen, mutton-steak pye, roasted beef, four rabbits fricasseed, broiled whittings, ox cheek, fricasseed calf's foot; remove, four boiled hens with bacon.——Second Course, eight roasted pouts * and six chickens, tarts, four roasted ducklings, fried sweet-breads, artichokes, amulet, collared pig.—For the children, three chickens.——Steward's table.—Boiled mutton, two joints roasted beef.——Officers table.—Boiled mutton four joints, roasted beef, plumb pudding.——Last table.—Eight joints of boiled mutton, four pieces of roasted beef, plumb pudding.

The household book, from which we have taken the preceding articles, contains also an account of the provisions purchased for that noble family; but as in general they are charged much higher, in many instances double, in some almost treble, of what was undoubtedly the common rate of provisions at this period, we have not ventured to state from this book any articles, in the foregoing table, of the prices of provisions; yet, as this book contains some articles, the prices of which we cannot instruct by any other document, and particularly of vegetables; and as we think it may not be improper to point out to great and noble families, how much they may be imposed upon by their stewards, we subjoin the following table, which we hope will not be deemed altogether incurious nor useless.

* Young moor-fowl.

A

TABLE

Of the Prices of several articles of Provisions, as stated in the Dalkeith Household-book, A. D. 1701, *and* 1702.

			L.	*s.*	*d.*
1701.	October 24.	A hen	0	1	2
		A pair of chickens	0	0	10
		A pair of rabbits	0	1	8
		Oysters per 100	0	2	0
		A pair of soles	0	2	4
	October 30.	Tame duck	0	1	2
	24.	A peck of pears from Inveresk	0	11	0
	November 1.	Ditto of potatoes from Edinburgh	0	2	6
		Artichokes per dozen brought from Pinkie	0	1	0
		Onions per 100	0	1	8
		Turnips from Edinburgh per 100	0	2	6
	November 14.	Carrots from ditto per 100	0	3	4
		Baking apples from Monkton-hall per peck	0	6	0
		A large turbot	0	5	0
		A turkey cock	0	6	0
	15.	Powder sugar per pound	0	1	1
	22.	Loaf sugar per pound	0	1	8
	29.	A pound of mace	1	17	4
1702.	June 1.	A green goose	0	2	0
	2.	Ditto of nutmeg	0	16	0
	2. O. S.	A peck of green pease from Newbottle	0	4	2
		A pint of gooseberries	0	0	4
	3.	Turnips per dozen	0	0	6
	4.	Cherries per 100	0	1	0
	July 2.	Ditto per ditto	0	0	2
		Green pease per peck	0	1	0
	7.	Cauliflowers per dozen	0	5	0
	29.	Apricots per dozen	0	0	6
		Plumbs per ditto	0	0	6
	July 7.	A sollen goose	0	2	4
		Anchovies per pound	0	4	0

CHAPTER VI.

FANATICK Edicts of the Town-Council and Presbytery of Edinburgh—A great fire in the city—Porteous's mob, and its consequences—Extreme rigour of the season—Rebellion, 1745, and its consequences.

1718. THE council, to enable the provost to defray the expences of his office, having allowed him mean and base perquisites, such as secret acknowledgments from those who got lucrative offices from the city, gratuities from those who obtained tacks of the city's lands, or other branches of its revenue, &c. &c. which, far * from supporting his station with becoming dignity, tended to make him mean, mercenary, and rapacious, abolished this infamous practice †, and settled upon the provost, in its stead, a salary of L.300 a-year.

The council at this time resumed a project they had formed in the reign of queen Anne, of improving the harbour of Leith, by extending the pier, and building wet and dry docks‡, at the national expence. The government would not incur the expence, but encouraged the council in their projected improvement by prolonging, for nineteen years, the duty of two pennies Scots on the pint of ale and beer sold within the city or liberties. The scheme, accordingly, was in part executed, and the town's debts, which were then about L.25,000, in the space of five years, were nearly doubled.

1722. The business (if it may be so called) of the town of Edinburgh, now consisted in laying humble addresses at the foot of the throne upon every trifling occasion, and describing the sinful state of the people, 'the abounding || of 'vice and immorality, particularly horrid cursing and swearing, breach of the Lord's day, drunkenness, uncleanness, 'mocking at religion and religious exercises, contrary to the 'holy word of the great God, laws, and acts of parliament;' and in denouncing their anathemas against such evil doers, and those who should be found standing on the streets on

* Council Register, v. 46. 10th September, 1718.

† About this time a subscription was set on foot by the presbytery of Edinburgh, for relief of the suffering protestants in Lithuania. The sum raised within the presbytery, amounted to L.821 9s. 1d. Register of presbytery of Edinburgh, v. 7. p. 133.

‡ Maitland's History, p. 120. || Council Register, v. 51. p 282.

the Lord's day, or taking their diversion *, by walking before, between, or after sermons.

1725. At this time a great fire happened in the Lawnmarket. It burned with such rapidity, that neither the household furniture, goods, nor even the merchants books could be saved from the flames, in many of the houses that were consumed. A contribution was set on foot by the magistrates for relief of the sufferers. L.938 15s. 8d. were raised for this charitable purpose. The sum was distributed by the magistrates and ministers of Edinburgh, and lord

* The town council and presbytery of Edinburgh went hand in hand in their zealous attempts to enforce a Judaical observation of the Sabbath. The reader will form a proper idea of those pious times from the following act of presbytery, the observation of which was strictly enforced by the authority of the town council, as well as by the spiritual artillery of the church. 'The 'presbytery, taking into their serious consideration *, that, notwithstanding, '&c. &c. yet a great number take an unaccountable liberty in despising and 'profaning the same (*i. e.* the Lord's day) idly and wickedly, by standing in 'companies in the streets, mispending the time in idle discourse, vain and 'useless communications, wholly alien from the true design and work of the 'day; and by withdrawing from the city, and other places of their abode, 'and taking occasion thereunto, some immediately before public worship, 'and others after it is over, to take their recreations in walking through the 'fields, parks, links, meadows, with other places to which they resort in com-'panies, to find their own pleasures. And by entering into taverns, ale-'houses, milk-houses, gardens, or other places, to drink, tipple, or otherwise 'mispend any part thereof; by giving or receiving civil visits, which have 'no place amongst the works which are required or allowed on the Lord's 'day; and by idly gazing out of windows, beholding vanities abroad, an in-'dication not only of levity, but a profane neglect of the fittest time for sal-'vation work. Yea some have arrived at that height of impiety, as not to 'be ashamed of washing in waters, and swimming in rivers upon the holy 'Sabbath. But by these, and many other ways, is the Lord's day profaned. '. . . . . solemnly 'declare our just abhorrence of the foresaid profanation. And do charge all 'who are guilty of Sabbath-breaking in any of the forementioned instances, 'or any otherwise, as they would not bring down the wrath of God upon them-'selves and the land, that they forthwith henceforward seriously repent, 'wholly break off and abandon this their wickedness, certifying all such who 'shall be found guilty, that they shall be liable to the censures of the church. 'And we obtest all whomsoever, in the bowels of Christ, and as they would 'find mercy through him, that, from a principle of religious love and fear, 'they practicaly remember the Sabbath day, to keep it holy,' &c. &c. Although the following circumstance happened about sixteen years after this act of presbytery, it may not be improper to insert it in this place. The people about that time were in use to teach their birds to chant the songs of their party. It happened, that the blackbird of an honest Jacobitical barber, which, from his cage on the outside of the window, gave offence to the zealous whigs by his songs, was neglected on a Saturday evening to be brought within the house. Next morning, he tuned his pipe to the usual air, '*The king shall 'enjoy his ain again.*' One of the seizers, in his holy zeal, was enraged at this manifestation of impiety and treason in one of the feathered tribe. He went up to the house, seized the bird and the cage, and with much solemnity, lodged them in the city guard.

* Register of Presbytery of Edinburgh, 29th April, 1719. Council Register, 24th May, 1721.

Milton. A great * part of it was disposed of in this upright and equitable manner! To one gentleman, afterwards member of parliament for the city, L.124 4s.; to another gentleman, afterwards lord provost, L.225; to a poor episcopal clergyman, L.2.

Sept. 7. 1736. A tumult, as it has been commonly called, but, to speak more properly, a conspiracy, now happened in Edinburgh; a conspiracy equally remarkable for the art with which it was contrived, the dexterity with which it was executed, and the heavy load of vengeance which it drew upon the city.

The discontents raised by the union had not been entirely extinguished. They were increased by the malt-tax, which, over all Scotland, was considered as extremely oppressive.—But, notwithstanding which, while in other places there were tumultuous risings, Edinburgh behaved with such exemplary quietness and decorum, as attracted the attention, and even the applause of government. An ill-judged exertion of the noblest, yet most dangerous privilege of royalty, heightened those discontents, and kindled them into open violence. At the execution of a smuggler in the Grass-market, attended with no other disturbance than the boy's pelting the executioner with stones, which at Edinburgh, was common on these occasions, John Porteous, captain of the city-guard, thought fit to fire twice upon the mob, and to order his men to do the same; the Captain's orders were obeyed; and six people were killed, and eleven severely wounded. Porteous was prosecuted at the City's expence, convicted by the unanimous verdict of a jury, and condemned. But

July 20. Queen Caroline (then Regent) indulged the criminal with a reprieve. The people were enraged to a degree of fury. They remembered that it had been a common practice of government, to screen the *well-affected* from the punishment of their murders: that the office of king's advocate was with-held from Sir John Lauder of Fountainhall, because he declared he would prosecute the authors of the massacre of Glencoe, and that they escaped accordingly. They remembered that Green and his crew, who had been convicted of piracy and murder, committed upon their countrymen, would all of them have been pardoned, had not government been intimidated by the fury of the populace: that when a riot excited (as many people thought) by oppression, happened at Glasgow, and the military fired among the mob, and killed or wounded † about twenty people, the commanding officer escap-

* Printed distribution of this charity bound up with the Council Register, v. 51.

† Council Register, v. 56. p. 331. v. 57. p. 53. Records of Justiciary for A. D. 1725, 1726, and 20th July 1736. Maitland's History, p. 123, and

ed unpunished, and was promoted in the service: nay, that tyranny had then so established her dominion, that when every engine of ministerial power was exerted to bring *the rioters* to punishment, while the criminal register was swelled with the catalogue of their proscriptions, no punishment was inflicted on *the murderers:* not even the ceremony of a trial was performed to appease the injured *manes* of the slain. Fired with jealousy and resentment, they resolved, that even royal mercy should not rescue Porteous from their vengeance.

A number of people from different quarters, assembled on the night previous to that on which his execution would have taken place, had not the queen granted him a reprieve. The cloaths which appeared under their different disguises, as well as the conduct and deliberation with which their plan was executed, bespoke many among them to be superior to the vulgar; and that the violence they committed, proceeded not from the rash and unpremeditated concert of a rabble. They surprised and disarmed the town-guard, blocked up the gates of the city, to prevent the admission of troops quartered in the suburbs. The prison doors, which would not yield to the force of their hammers, they consumed by fire. The prisoners they dismissed, (Porteous excepted) whom they threatened with the tragical catastrophe which he dreaded. In vain did the magistrates endeavour to quell or appease the ferment. They were pelted with stones, and threatened to be fired upon. The member of parliament for the city went to general Moyle, commander of the forces in Scotland, and intreated his immediate assistance, by the introduction of a body of his troops into the town; but this the general refused, because he had no written order from the magistrates to that effect; which, indeed, Mr Lindsay, the member, in such confusion, neither could obtain, nor venture to carry about his person through the midst of an enraged populace. They marched with lighted torches to the Grass-market, opened a shop, took out a coil of ropes, and paid for them; and after allowing Porteous to give to an acquaintance, in trust, the money he had about him, to be delivered to his relations, they proceeded to a dyer's post nigh the spot where the unfortunate people were killed.

Sept. 8. After reproaching him with his barbarity, they hanged him on the post, and dispersed quietly, without committing any other outrage or disturbance whatever.

Information of this outrage was received at court with the utmost indignation. It was deemed a premeditated insult to government. Several expresses were dispatched to his majesty then at Hanover. A pardon was promised to offenders,

124. Smollet's History, v. 11. from p. 1, to p. 7. London Magazine, v. 5. p. 458, 510, 520. vol. 6. p. 219, 220, 300, 717, 737. Journals of the House of Commons, vol. 22, 16, 24. May 8, 9, 13, 15. June 1737.

ISLINGTON

if they would discover their accomplices, and also a reward of L.200 for each person so apprehended and convicted; and it was resolved to make the city feel the weight of ministerial vengeance.

1787. April 1. The lord provost of Edinburgh was taken into custody, and after almost three weeks confinement was admitted to bail. His lordship, with the four bailies of Edinburgh, were commanded to attend the House of Lords. Three of the lords of justiciary were likewise ordered to attend; but this order produced a debate, upon a case not provided for by the articles of union, and for which there was no precedent; namely, how the Scottish judges should be received, on the wool-sacks, at the table, or at the bar? The arguments in favour of the first of these alternatives are obvious: that as in the House of Lords bills are passed relating to Scotland as well as England; as appeals upon cases decided in Scotland, receive their final decision in that house; and as Scottish peers, for crimes committed in Scotland, would fall to be tried in that house, doubts concerning the Scots law might frequently arise, which would make it as requisite to have the opinion and assistance of the Scottish judges, upon these cases, as to have those of the English judges upon similar cases in the neighbouring kingdom: and that when the Scottish judges should be so called upon, no inequality, no distinction should be observed between the judges of the supreme courts in Scotland, and those of an equal rank in England. To these it was answered, that no person had a right to be admitted within the bar of the House of Lords, but by patent, by writ, or by custom: that the Scottish judges stood in neither of these predicaments; therefore they could not be admitted: and farther, that the Scottish judges did not enjoy that privilege in their own country before the union.

But, in fact, persons who were not members of the House of Lords had been admitted within their bar. And two gentlemen who had been judges, but were not so then, in the year 1688, were called upon to give their evidence at the table. And as to the Scottish judges not enjoying that privilege in their own country, the constitution of their parliament did not require it. However, by a plurality of voices, they were ordered to attend at the bar in their robes.

An inquiry was made in the House of Lords, respecting the legality and justice of the sentence by which Porteous was condemned. A motion was made for having it declared erroneous; and several of the members scrupled not to censure both the verdict of the jury, and the sentence of the court. They were both, however, fully justified, and the motion was dropped.

A bill was brought in, for disabling Alexander Wilson, Esq; Lord Provost of Edinburgh, from enjoying any office, or place of magistracy, in that city, or in any part of Great Britain; for confining him to close custody for a full year; for abolishing the city-guard, and taking down the gates at the Netherbow-port. It passed the House of Lords, notwithstanding the vigorous opposition it met with from the Duke of Argyle, and many more of their Lordships. The bill was sent down to the House of Commons. The Scots members, *one only excepted*, exerted themselves to the utmost, in defence of their capital. In every stage it received the keenest opposition. The bill was altered in its most essential circumstances. The clauses for imprisoning the Lord Provost, abolishing the city-guard, and taking down the gates, were left out. In place of these, a fine of L.2000, to be applied to the use of Porteous's widow, was imposed upon the city. And, even then, it was carried in the committee by the smallest possible majority. One hundred and thirty members voted for reporting the bill, as amended; the same number voted against it. And, although it is customary for the chairman to give his voice upon the side of mercy, he voted in favour of the bill. It is farther remarkable, that two Scots members, the Solicitor General, and Mr Erskine of Grange, were then attending an appeal in the House of Lords, and were refused leave of absence, otherwise the bill would have been totally lost *.

Thus was the community of Edinburgh exposed to great danger, and involved in much trouble and expence † for a deed not their own; and to prevent which, although they, perhaps, did not exert every means that might have occurred to a person deliberating in his closet, while danger was at a distance; yet they used such endeavours as should for ever have screened them from the suspicion of being concerned in that outrage, or even of culpable neglect.

It is very remarkable, that, although forty years have now elapsed, no information has been offered, no discovery made of those concerned in this conspiracy, notwithstanding the high rewards offered to informers, and the number of people whom it behoved to have been engaged in it; but a fidelity has been shown, which none but people acting from principle could have observed.

To prevent such catastrophes in time coming, the town-council ordained, that, on the first appearance of an insurrec-

* The nature and design of this work could not admit with propriety, our inserting the copious arguments that were used for and against this bill.

† Porteous's widow, on account of the favours the town-council had shown her, accepted of L.1500 in full. The expence of the magistrates in their journey to London, and stay there, with lawyers fees, &c. &c. at London and Edinburgh, considerably exceeded that sum.

tion, the chief officers, in the different societies and corporations, should immediately repair to the council, to receive and execute such orders as the magistrates shall give them, for quelling such tumults; and that under a penalty of L.8 : 6 : 8 for each omission.

1740. In the beginning of this year, the weather was remarkably severe. The cold was so intense, that above Alloa, the Forth was entirely frozen over; nay, there was even a crust of ice at the Queen's-ferry. By the mills being stopped, a great dearth was occasioned; by the vast quantity of snow upon the ground, coals were brought into the town with difficulty, and several people perished with cold. The magistrates of Edinburgh *, with other societies and individuals, did not sit idle spectators of the distress of the poor. Public contributions were levied, private donations were sent, money was lent by the banks to the magistrates without interest, for buying victual, which they sold to the poor at very easy rates; but a bad harvest succeeding †, and the prices rising, notwithstanding the great vigilance with which the magistrates exerted themselves to keep the markets properly

Oct. 24. supplied, the people became tumultuous, broke in upon, and plundered several granaries, assaulted the justices of peace, and troops who were sent to disperse them, and could not be restrained, till the military, upon orders being given by the civil magistrate, fired upon the mob, killed one, and wounded severals. Afterwards, upon discovery being made, of several dead bodies having been raised, the mob ‡ burned the houses of suspected persons, and committed other extravagancies, notwithstanding the magistrates en-

1742. deavoured to appease them, by rigorously punishing those who were concerned in violating the sepulchres of the dead.

1744. The town-council having been acquainted, in a letter from one of the secretaries of state ||, of an intention formed to invade these kingdoms, by the eldest son of the Pretender, assured his majesty of their fidelity in a loyal address; and upon information of his being landed in the north, they prepared for a vigorous defence of the city. The city-guard were augmented to a hundred and twenty-six men, the trained bands were ordered § to be in readiness at the

* Scots Magazine, v. 2. p. 482.; Council Register, v. 60. p. 241.; Caledonian Mercury, No. 3090, 3091, 3092, 3094.; Maitland's History, p. 124.

† We do not find, that, at the time this scarcity was severest, wheat sold for more than L. 1 : 6 : 0, or meal for more than 19s. per boll.

‡ Criminal Register of Edinburgh, 12th April 1742.

|| Council Register, 22d Feb. 1744.

§ Council Register, 23d, 28th August, 2d, 4th, 9th September, 1745.

1745. Sept. shortest warning. Application was made to his majesty, and leave granted, to raise, and maintain by subscription, a thousand men, who were to be under the direction of the lord provost and council. A part of the king's forces were brought into the neighbourhood of the city; its walls ordered to be repaired; ditches to be thrown up; and inn-keepers, and others who let lodgings, were required to give exact lists of strangers residing in their houses.

Upon the approach of the Pretender's army, which a few days before had crossed the Forth above Stirling, the cash of the banks, and other public offices, was removed into the castle. The king's forces, who, with the town-guard, were posted at Corstorphin, and the Colt-bridge, fled precipitately. The town-guard retreated into the city, which was seized with general consternation. The * inhabitants exclaimed, It was madness to expose their lives and properties to certain danger, by shutting the gates of a city utterly untenable against such an army. The citizens were summoned to attend in the New Church aisle. It was there debated, Whether the city should stand on its defence? Three or four voices only exclaimed in the affirmative. Upon which it was agreed to Sept. 16. capitulate on the best terms that could be obtained. When, for this purpose, they were appointing deputies to treat with the Pretender's army, a letter was handed in, addressed to the lord provost and magistrates, which was read as follows: '*Whereas we are now ready* † *to enter the* '*beloved metropolis of our ancient kingdom of Scotland.*' Here the reader was stopped with an interrogatory, By whom is the letter signed? And, upon being answered, 'It is super-'scribed, *Charles, Prince of Wales,*' the meeting broke up in great confusion. Early next morning, a coach driving down the streets, the sentinels, suspecting no bad consequences, Sept. 17. permitted the porter to let the coach pass. But, upon the gates at the Netherbow being opened, a party of Highlanders, who had reached the gate undiscovered, rushed in, secured this and the other gates of the city, took possession of the main guard, made the soldiers on duty prisoners, and seized upon the arms and ammunition belonging to the city.

About noon, the Highland army, headed by the Chevalier, arrived in the King's park, and encamped near Duddingston; the Chevalier himself taking possession of Holyroodhouse. They were met by an immense multitude of spectators, whom Sept. 16. the novelty of the sight, or affection to the cause, had drawn together. The heralds and pursuivants

* Maitland's History, p. 127. Scots Magazine, v. 7. from p. 434. to 436.
† Maitland's History, p. 128. Scots Magazine, v. 7. p. 437. Smollet's History, v. 11. p. 217.

were obliged to publish at the cross, with the ceremonies customary at royal proclamations, a declaration, commission of regency *, and manifesto. In these, the subjects were promised the free exercise of the protestant religion, and full enjoyment of their rights and privileges. Besides these, proclamations were published, commanding the inhabitants of the town and county of Edinburgh to deliver up their arms at the palace of Holyrood-house; and prohibiting the soldiers, and others in the Highland army, from molesting the people, or pillaging their effects, under pain of being punished by martial law, with death, or otherwise according to the offence. A message was sent to the city, requiring, under pain of military execution, a certain quantity of stores for the army, of which payment was promised as soon as the present troubles should be over. They were furnished accordingly; and an assessment of two shillings and sixpence upon the pound was imposed on real rents within the city and liberties of Edinburgh for defraying that expence.

Upon the 20th, the young Pretender and his followers marched from their camp near Duddingston, in quest of the king's forces. These consisted † of about three thousand foot and dragoons, well supported with artillery, who were by this time, encamped in the neighbourhood of Prestonpans. The Pretender's forces were nearly of the same number:— But they were a body of ragged, undisciplined, half-armed Highlanders, without cavalry or artillery. Those who viewed them, looked upon them with compassion, as a set of unhappy people, devoted to immediate destruction. Both armies lay all night upon their arms. Early next morning, the Pretender's army attacked the King's, which in less than ten mi-
Sept. 21. nutes they totally routed. All the infantry were either killed or made prisoners. The baggage, artillery, and military chest, became the prize of the Chevalier, who returned in triumph to Edinburgh; and a striking, yet by no means singular, example was left of the uncertainty of the fate of battle.

The Chevalier bore his good fortune with moderation.— His followers observed a decorum which could hardly have been expected from a victorious army of mountaineers. The prisoners were liberated upon their parole ‡, (which, however, they afterwards broke.) The established clergy were desired to continue the celebration of public worship, as usual; but which, for reasons best known to themselves, they all declined,

* Maitland's History, p. 128. Scots Magazine, v. 7. p. 438.

† Maitland's History, p. 129; Scots Magazine, v. 7. 439; Smollet's History, v. 11. p. 218.

‡ Scots Magazine, v. 7. p. 441; Smollet's History, v. 11. p. 219; Maitland's History, p. 129.

except the morning lecturer in the Tron-church, and the ministers of the *West-kirk*, who continued to pray for king George by name, and to recommend loyalty to him, without receiving any disturbance. None of the inhabitants were either killed or wounded by the Highlanders, during their stay in the neighbourhood. Scarce were there any pillaged. Some villains having put on white cockades, and, under these badges, robbed the inhabitants, one of them was condemned by martial law, and shot. And, such was the simplicity of these poor Highlanders, that, it is said, some among them presented their pieces at passengers, and, upon being asked what they wanted *, answered, '*a penny*,' with which they went away satisfied.

Although the Highland army kept guards at the Weigh-house, and other avenues to the castle, yet neither the army nor the city suffered any disturbance from the for-
Sept. 25. tress till the 25th, when the scrambling of goats upon the rocks, or some such noise, alarmed the garrison; upon which a number of cannon pointed against the Highland guard at the West-port † were discharged, which, however, did very little damage. Upon the 29th orders were given to the Highland guard at the Weigh-house to prevent all intercourse between the city and the castle. The governour of the castle, dreading that the garrison might be straitened for provisions, sent a letter to the lord provost, intimating, that, unless a free communication between the city and castle was preserved, he would be under the necessity of dislodging the Highland guard by artillery.

A deputation from the city was thereupon sent to the Pretender, informing him of the danger with which it was threatened. He answered, by expressing 'his concern at the barbarity of an order for bringing distress on the city, on account of what it was not in its power to prevent: That, should he, out of compassion to the city, remove his guards from before the castle, he might, with equal reason, be required to abandon the town: That, in the mean time, he would make reprisals on the estates of those within the castle; and that, in the end, he would give the city ample indemnification.' The deputies from the city waited on the governour of the castle, and obtained a respite from the threatened cannonading for a few days. But, upon the senti-
Oct. 1. nels firing at some people who were carrying provisions into the garrison, several great guns were discharged from the castle, which damaged the houses, and wounded the per-

* Scots Magazine, v. 7. p. 442.

† Scots Magazine, v. 7. from p. 442. to p. 445. ib. p. 491; Maitland's History, p. 130. 131.

sons of the citizens; and, any intercourse between the city and garrison being prohibited, the latter began a severe cannonading, which filled the city with affright and tumult. Houses were set on fire, the streets were scoured with cartridge-shot from field pieces placed on the Castlehill; the inhabitants were busied in removing their most valuable effects, and their infirm relations, from the reach of these engines of destruction. Many people who lived in places where there was no hazard, affected with the general panic, fled with their effects they knew not whither. The firing continued next day; and several inhabitants being killed and wounded, the Chevalier issued a proclamation in the evening, which he next day published, setting forth 'the infinite regret he felt 'at the many murders committed upon the inhabitants by 'the commanders of the garrison; that he might justly pro-'ceed, agreeable to his threatenings, to execute reprisals upon 'the estates of his enemies; but he thought it no disgrace to 'suspend punishment, or alter a resolution, when thereby in-'nocent lives could be saved; therefore the blockade of the 'castle was taken off, and the threatened punishment suspend-'ed.' After this proclamation the cannonading was stopped.

Oct. 4.

Thus did the city of Edinburgh feel, what will ever be the case, that the castle cannot contribute to its security, but may become the engine of its destruction.

The Chevalier marched for England, with an army of about six thousand men. He besieged Carlisle in the beginning of November; and in three days it surrendered. He afterwards took his route for Manchester, where he was joined by about two hundred men, and penetrated to Derby. Here he paused. He and his followers were much disappointed, at getting no adherents in England, except the few who had joined them at Manchester. His troops had suffered the inconveniency of marching * in that rigorous season, through a country which appeared generally hostile. A powerful army, which the king himself was determined to head in person, lay between him and London. Another lay behind him, and might intercept his retreat to the North. Murmurs were heard in his camp, and distraction had seized his counsellors. A council of war was held; and, after violent disputes, an immediate retreat was resolved on.

Oct. 31.

Prince Charles accordingly abandoned Derby, and retreated to Scotland, before an harrassing enemy, with a celerity and good order almost unparalleled: neither plundering the country, nor leaving the sick, the stragglers, nor artillery to the enemy. He defeated the king's forces, commanded by gene-

* London Magazine, v. 14. p. 365, 607, 615; Smollet's History, v. 11. p. 224, 229.

ral Hawley at Falkirk *. His army then proceeded to besiege Stirling castle; but, as they failed in the enterprise, and as the royal army, commanded by the duke of Cumberland, was in pursuit of them, they retired precipitately to the north.

In the course of their retreat, the Pretender's followers gained some trifling advantages over certain parties of the king's forces; but these by no means counterbalanced the losses the rebels suffered in their retreat. The duke of Cumberland had secured the passes at Perth and Stirling; the country through which they marched was exhausted; a sloop of war, with a considerable supply of money and arms from France, for the use of the Pretender, was taken; and the royal army was in close pursuit of them.

March 18. From the 18th of March, the rebel army had received no pay, but subsisted chiefly upon oat meal, and that not in sufficient quantity; so that although harrassed with fatiguing marches, the scantiness of their provisions compelled them to give battle to a superior army.

April 16. On the 16th of April, the royal army, after a march of nine miles, came up with the rebels. These they found about six thousand strong, drawn up in order of battle on the field of Culloden. The king's forces, which were more numerous, were disposed in excellent order by the duke of Cumberland, who, in the whole conduct of the engagement, displayed the qualifications of an able general. The royal army, too, was supported with ten field pieces; but the artillery of the rebels were less numerous, ill served, and ill pointed. The cannonading began about one in the afternoon; and the rebels, impatient at being galled by the royal artillery, marched on to the attack, and charged the king's forces with their usual impetuosity. The left wing was staggered with the fury † of their assault; but two battallions advancing from the second line, quickly repulsed them. At the same time, Hawley's dragoons and the Argyleshire militia, having pulled down a park wall which covered the right flank of the rebels, attacked them sword in hand, and compleated their confusion. In no quarter of the battle, but the left wing of the royalists, had the rebel army ever made any impression. The French auxiliaries stood inactive during the whole engagement; and an entire body of Highlanders avoided the shock of battle by retreating in good order. A total rout ensued. The conquerors, exasperated against the enemy by national antipathy, political prejudices, and the distresses which they had hitherto

* Scots Magazine, vol. 8. p. 40, 48. Smollet's History, v. 11. p. 231, 235.

† Scots Magazine, vol. 8. p. 185, 188, 194. London Magazine, vol. 15. p. 210. History of the Rebellion, p. 186, 188, 202, 226, 232. Smollet's History, vol. 11. p. 240.

suffered from the triumphant banners of the north, sullied the glory of victory by their cruelties towards the vanquished. Two thousand of the rebels fell in the field of battle. For, in this engagement, among the vanquished, *there were no wounded;* such as were not killed outright in the hour of battle, either perishing for want of assistance, or by more positive acts of barbarity. A pretended order of prince Charles to give no quarter, said to have been found in the pocket of a rebel, was trumped up as an apology for these cruelties. Of the royal army fifty were killed, and about five times that number wounded.

By this victory the rebellion was completely extinguished. It was indeed so decisive, as, by allaying the apprehensions, might have mitigated the severities of government. The vanquished prince was fled. For five months he underwent a scene which was but one tissue of hardships, perils, and miseries. Beset by numerous parties by land; the coasts strictly guarded; the places of his concealment known to many in the lowest paths of fortune; and a price of thirty thousand pounds on his head, might have been thought to have precluded the possibility of his escape. Yet none of his enemies discovered his retreat; none of his confidents * betrayed it; and he at length got safe to the continent.

The rebels were scattered in small parties, anxious for nothing but to provide for their safety, by the obscurity of their concealment; a precaution, which, in that part of the country, was found necessary to be taken by all who were suspected of attachment to the house of Stuart. The Highlands were given up to all the horrors of a conquered country.

Orders were published by the Duke of Cumberland, and read from † the pulpits, commanding all who had been in the rebellion to deliver up their arms; and all who had in their possession, or could make discovery of any arms or effects belonging to the rebels, instantly to deliver them up, or to

* One of those poor Highlanders who were privy to his retreat, abhorring treachery to his prince, disdaining the price of blood, and despising his own danger, kept sacred his important trust; yet was afterwards hanged for stealing cattle. Upon his condemnation, he addressed the audience in Earse, contrasting what he deemed a peccadillo with his fidelity to his prince; and drew tears from all who understood him. Where were the generosity, where the clemency of the judge and jury, when this man was not recommended to mercy? But the fault was not theirs. The complexion of the times rendered such recommendation dangerous. As the prisoner's manner was insolent, one of the judges expressed pity for him, as having no sense of his guilt, no behaviour suitable to his unhappy situation; he replied, 'Pity me, 'my lords! No.—You and all present are more to be pitied.—You are all 'under sentence of death; but you have not my advantage, to know the hour 'of your execution.' The counsel for the crown, who is now upon the bench, exerted, in vain, his endeavours to procure him a pardon.

† Register of the General Assembly, MS. A. D. 1746. Scots Magazine, v. 8. p. 230.

make such discovery, under pain of military execution. At the same time, the sheriffs and other inferior judges were ordered to make strict search after those who had been in the rebellion, and had not delivered up their arms, and all who had harboured or entertained them, and to commit them to prison for trial. *To which effect, the judges and officers were commanded to take information from the presbyterian ministers of the lurking places of the rebels.*

The duke, with his army, marched to Fort Augustus, and detached parties were sent over all the country to hunt down the rebels. Numbers were hanged without ceremony, by orders from the general officers, as spies, deserters, or rebels. The houses of the Highland chiefs were plundered and burned: nay, through a large tract of country every village and hovel shared the same fate, and in some * of them the miserable families perished in the flames. The cattle were everywhere taken away, and brought to the Duke's army, sometimes to the amount of 2000 in a drove. Every species of provision was carried off; so that many who were not consumed by fire nor sword, perished by famine. Upon Lord George Sackville's pitching his tent between Fort Augustus and Badenoch, whenever the smoke appeared, children flocked in crowds, and greedily licked up the blood, and devoured the dung, which fell from the entrails of the slaughtered cattle. The officers, touched with compassion at a sight so shocking to humanity, made the soldiers raise huts for the children, where the officers supplied them till the camp was removed, giving them the bread which they themselves should have ate.

While these things were transacted in the field, the cabinet and the courts of justice were not unemployed. An act of attainder of high treason † was passed against three lords and ojrty gentlemen. The earl of Kilmarnock, the lords Lovat and Balmerino, and the titular earl of Derwentwater, were beheaded. Upwards of seventy gentlemen, and persons of inferior rank, were drawn, hanged, and quartered; besides those who were hanged without trial in the north. About a thousand were transported to America; and forfeitures took place to a considerable amount; so that (at least since the contest between the houses of York and Lancaster) no such scene of blood and proscription had ever followed any rebellion in Britain.

Among the unhappy sufferers, the fate of the titular earl of Derwentwater, and that of Doctor Archibald Cameron, brother to the Laird of Lochiel, were particularly severe. The former had been engaged in the rebellion 1715, as well

* Scots Magazine, v. 8. p. 285. 287, 288. † Geo. II. an. 19. c. 26.

as his elder brother the earl of Derwentwater. Both were condemned; the former escaped, the latter was beheaded. From that time the titular Earl had never set foot in the British empire, till at the distance of thirty years. He was taken at sea, on board a French vessel; and being brought to London, was, upon a proof of his identity, ordered for execution. Dr Cameron had been concerned in the rebellion 1745. He had never been apprehended nor brought to trial; but an act of attainder of high treason had passed against him, as well as many others, A. D. 1746. His brother Lochiel being dead, Dr Cameron came to Scotland, A. D. 1753, to take charge of some pitiful remainder of estate, belonging to the orphans his nephews. He was apprehended, carried to the Tower of London; sentence of death was passed upon him, on his admitting himself to be the person mentioned in the act of attainder. He was denied the use of pen, ink, and paper. His wife, upon her first attempt to deliver to the king a petition, in behalf of her unfortunate husband, was incapacitated by falling into a fainting fit; but, having afterwards presented petitions to the king and royal family, she was shut up along with her husband, that the king and nobility might not be disturbed with further intercessions. Doctor Cameron himself was dragged on a sledge to Tyburn, where he behaved with magnanimity and resignation, was hanged, his head cut off, his heart torn out and burned *.

Among the most singular trials consequent upon the rebellion, was that of Archibald Stewart, Esq; (Lord Provost of the city of Edinburgh, when the rebels entered it) for 'neglect of duty, misbehaviour in public office, and violation of 'the trust and duty of his office.' Mr Stewart went to London in November 1745. Immediately upon † his arrival, he sent notice of it to one of the secretary's of state. He underwent a long examination before the cabinet-council, and was

* The historian of his own times, or of times lately remote, which have not been described by former writers, must necessarily be his own voucher. Nor does this give opportunity for an erroneous representation of facts, since the matters treated of being recent, it is in the power of innumerable living witnesses to expose and contradict any misrepresentation. It is clear, that the authors of the periodical publications, after the extinction of the rebellion, durst not exaggerate the severities of government; besides, they gave an account of matters which were for the most part notorious. But we have not rested upon their authority; where authentic records could be obtained, we had recourse to them; where they could not, we only adopted such narratives as we were completely satisfied to be true, from the corroborating testimonies of persons of unquestionable veracity and respectable character, by whom we have been favoured with information of some particulars concerning the rebellion, not formerly published. London Magazine, v. 15. p. 358. 369. 370. 408. 423. 545. 589. 643. vol. 16. p. 108. 155. 242. Scots Magazine, vol. 15. p. 157. 250. 657.

† Scots Magazine, v. 7. p. 585. v. 9. p. 327. 328.

committed to custody; from which he was liberated upon the 23d January 1746, after finding bail to the extent of L.15000, to appear before the Court of Justiciary at Edinburgh.

Whether it was that government thought Provost Stewart really culpable in not holding out the extensive and crazy walls of Edinburgh against a victorious army, in opposition to the inclination of the inhabitants; or whether they meant to intimidate the disaffected, by the strictness of their proceedings, we shall not determine. Provost Stewart was brought to trial; and the court 'found it relevant Aug. 6. 'to infer the pains of law, that the pannel *, at the '† time and place libelled, being then Lord Provost of the 'city of Edinburgh, wilfully neglected to pursue, or wilfully 'opposed or obstructed, when proposed by others, such mea-'sures as were proper or necessary for the defence of the city 'against the rebels, in the instances libelled, or so much of 'them as do amount to such wilful neglect.' After various procedure, the court and jury being met, began to examine witnesses on the morning of the 27th of October; and, after the longest trial recorded in the books of justiciary, the jury, on the 2d of November, returned their verdict, unanimously finding the prisoner not guilty ‡.

From this trial certain incidents originated, expressive of the tyranny which the ruling party exerted over the country. An article appeared in the news-papers, setting forth, that some of the most considerable inhabitants of Edinburgh, willing to pay a small acknowledgment of their gratitude to their late Lord Provost and worthy representative in parliament, for the services done by him to the city, had resolved to congratulate him upon this occasion of his character and conduct being vindicated, by the unanimous voice of his country. For this purpose, they invited Provost Stewart's well-wishers to meet them next evening in Baxter's Hall.

The Scottish rulers taking umbrage at this mark of exultation, or conceiving apprehensions from the meeting, resolved to prevent it. A consultation was held between the Lord Justice-Clerk, the Commander of the Forces, and the Lord Provost of Edinburgh; the result of their deliberations may

* *Pannel* is a term in the Scots law, denoting a person who is undergoing a criminal trial. † Records of Justiciary, 27th October, 2d November, 1747.

‡ The court and jury met on the morning of Tuesday 27th October. About one of the morning of Thursday the 29th, the jury prayed for a delay of the trial, on account of their utter incapability to finish it without a respite. The court allowed them to retire till eleven of the forenoon, on consent of the parties, then to return under penalty of L.500 each. They came back accordingly, and pronounced their verdict upon the evening of Saturday the 31st, which they returned on Monday the 2d of November, having sat in whole ninety-four hours.

be collected from the following article which appeared in the news-papers. After informing the public that there had been a meeting of people in the *duke's head-tavern*, to commemorate the birth-day of King William, *so numerous that the house could not contain them;* it is added, the intended meeting of Provost Stewart's friends did not hold. The reason of it is subjoined: 'The Lord Provost was advised that he might 'lawfully forbid such a meeting, and declared his resolution 'not to suffer it; and we are informed, that Mr Stewart and 'his friends laid aside the design *.'

Previous to the trial of Provost Stewart, a species of triumph had been exhibited at Edinburgh, which displayed, in no brilliant characters, the magnanimity nor modesty of the victor †. Fourteen of the Pretender's standards were brought to Edinburgh; and, by the Duke of Cumberland's command, those banners which had spread terror over great part of the island, were burnt with every ‡ mark of contempt and ignominy.

The court seem to have entertained a jealousy of the unsurmountable aversion of the Highlanders to the established government, and thence to have embraced a resolution to crush their spirit, and exterminate their power. Besides the considerable estates in the Highlands which were forfeited and annexed to the crown, important laws were established, which entirely altered the civil constitution of the country. Not only the nobility, but the chieftains and proprietors of ancient estates, possessed a jurisdiction over their vassals, and all within their territories, in causes both civil and criminal. These estates were called *Baronies;* ‖ and, in those of considerable note, the royal charter erecting and vesting them generally extended the criminal jurisdiction to the power over life. By the feudal law, the vassals were obliged to follow their lords into the field. By the clanships which prevailed in the Highlands, these vassals were, for the most part, of the same name and blood with their lord; *their names* perpetuating the memory of their descent, and exciting the most passionate attachment to their chief. Thus, a fabric was

* Caledonian Mercury, No. 4222. 4223.; Edinburgh Courant, 3d and 5th November 1747. For another incident that originated from Provost Stewart's trial, see Book III. Chapter IV.

† London Magazine, v. 15. p. 314. 1746, June 4.

‡ The heralds, trumpeters, &c. escorted the common executioner, who carried the Pretender's colours, and thirteen chimney-sweepers who carried the rest of the colours from the castle to the cross. There they were burnt, one by one, an herald always proclaiming the names of the commanders to whom the respective colours belonged.

‖ Baro dicitur, qui gladii potestatem habet, id est, imperium merum; apud nos *furcae et fossae* nomine significamus. Craig, De feudis, lib. 1, dieg. 12. sec. 16.

reared of the most solid and dangerous aristocracy. The barons, by their possessions, could indulge themselves in a hospitality which was extremely acceptable to their vassals. By clanship, they were the objects of their vassals' affection. Their powerful jurisdiction, joined to their distinguished rank, impressed their dependants with reverential awe; and the feudal tenures and customs required them to follow the standard of their lord.

A system such as this was adverse to civilization of manners, and inconsistent with a regular submission to the established government. Cromwell, whose extensive views and profound judgment swayed with harmony and glory an empire of which he was the usurper; an empire whose legal monarchs, when misled by distracted and pernicious counsels, have sometimes let drop from the pinnacle of glory to the brink of destruction, perceived the incompatibility of this system with a regular government, and abolished it. It was replaced at the restoration; and one of the fortunate circumstances which flowed from the suppression of the late rebellion, was the obvious political expediency of abolishing the *heritable jurisdictions*. Accordingly, (except the office of lord high constable), they were * all abolished; and the subjects, instead of resorting to the courts of their respective superiors, were obliged to sue for justice before the inferior judges appointed by the king. The lords of justiciary were at the same time appointed to hold, twice in the year, circuit courts, through the different quarters of the kingdom, for taking cognisance of the deeper trespasses against the criminal jurisprudence.

But on that statute is exhausted all the applause we can bestow upon the measures of government, after the extinction of the late rebellion. Had the nation been subjected to a foreign yoke, it is difficult to conceive that more rigorous laws could have been imposed upon the vanquished people, than the other statutes enacted upon this occasion. These chiefly respected arms, dress, and religion.

An act which had been passed in the reign of George I. disarming all the northern counties, an act which breathed a jealousy that could not fail to irritate the objects of suspicion, was renewed with additional severities. No person was allowed to bear, or have arms † in his possession, unless he was possessed of a freehold qualification, entitling him to be elected into parliament. It was provided, that even such qualified persons should not be allowed to keep more than two muskets, two pair of pistols, and two swords. Persons having warrant

* Stat. Georg. II. anno 20. cap. 43.

† Stat. Georg. I. an. 1. cap. 54. Georg. II. an. 19. c. 39.

from the king, or the lord lieutenants * of the disarmed counties, were authorised, in their search for arms, to enter houses by night or day, and in case of opposition, were indemnified for any slaughter they should commit upon the occasion.

The statute even descended to the article of dress. From a perusal of this act, one would be led to conclude, that the government trembled at the figure of tartan, or shape of a philibeg. The garb which the Caledonians had worn from the earliest ages of their nation; the garb to which they were attached by the affection which is natural towards the peculiarities of one's native country, and for the objects to which one has been habituated from his earliest years, was prohibited, both as to *stuff and shape*, and, of course, a stop put to almost the only species of manufacture in the country. To wear a philibeg, of any sort, or a coat, or great coat, made of tartan, subjected the wearer, whether *man or boy, upon being convicted by the oath of one witness, before any justice of peace, to imprisonment, without bail, for six months. But, for the second offence, to banishment, for seven years, to any of the foreign plantations.*

By the same statute, it was provided, that no person should teach *English*, *Latin*, or any part of literature, in private schools, or as chaplain or tutor in any family, unless, in the first case, he had entered the situation and description of his school in a public register, and in both cases, had taken the oaths to government. In either case, the schoolmaster, or chaplain, as well as the parents of the children so put to school, were subjected to rigorous penalties.

In all the counties beyond the Tay, a vast majority of the nobility and gentry were of the episcopal, or popish persuasions; and many among the commonality adhered to the one or other of these religions. Even in the county of Fife, which in the reign of Charles II. and of his brother, was deemed fanatic, a great majority of the gentry were of the episcopal communion.

As for popery, the laws which were enacted against it at the reformation, were from time to time renewed with increasing rigour, (though perhaps dictated by political necessity,) till they arrived at a most sanguinary pitch of persecution. Those who celebrated, or heard mass, were subjected † to a capital punishment. Not to disclaim popery upon oath, subjected the recusant to banishment. A premium was appointed by law for informers; and papists were declared incapable of succeeding to, or purchasing any heritable property whatever.

* This statute was passed before the act abolishing the heritable jurisdictions.

† Kaims's statute law abridged, *voce* Papist.

By another law, the exercise of the Episcopal religion was, in effect, debarred from all who entertained, in their breast, a favourable notion of the right of succession in the house of Stuart. For, to prohibit a religion absolutely, and to make a solemn profession of certain political tenets an indispensible requisite to the exercise of it, are, to all those who do not acknowledge those political tenets, in effect, precisely the same. Previous to the rebellion 1745, episcopal meeting houses were tolerated. Those who frequented them were not harrassed with the imposition of oaths, or otherwise; and so little were they obnoxious, that there are instances, in certain of the northern boroughs, of the magistrates having gone to them distinguished with ensigns of office. An act was passed, commanding all episcopal clergymen, at every time they celebrated worship before more than five people, to pray for the king and royal family by name, as directed in the liturgy. Transgressions against this statute subjected the clergyman *, for the first offence, to imprisonment for six months; for the second, to banishment during life to America. The hearers, besides being disqualified from voting in the election of parliamentary representatives, were, for the first offence, subjected to a penalty of five pounds; but, for the second, to imprisonment for six months. This was an exertion of tyranny over the mind which even Charles II. did not prescribe to the covenanters. Many clergymen were accordingly thrown into jail. Indeed, upon the first extinction of the rebellion, legal severities against Nonjuring Episcopals were quite unnecessary, the soldiery and the mob burning their meeting-houses, and those of the papists; and harrassing the episcopal clergymen so severely, that none of them durst live in their own houses for a twelvemonth after the rebellion. Even so late as the year 1755, an episcopal clergyman † was prosecuted at the instance of the Lord Advocate upon this statute, and upon an act of Charles II. against clandestine marriages, ‡ and banished for life.

* * * * * * * * *

This rebellion, however, was, in many respects, fortunate for Scotland. It annihilated the contest for the throne, urged between the possessor, invested by the authority of parliament, and the house of Stuart, claiming in virtue of heredi-

* Geo. II. an. 19. cap. 38.

† Records of the western circuit court of justiciary, 10th and 11th April 1755; Scots Magazine, v. 17. p. 207, 209.

‡ This last statute was wrested in a manner singularly gross and infamous, in order to accomplish this poor man's destruction. He was first imprisoned upon the act for prohibiting episcopal ministers from celebrating public worship, without praying for the king. But as it occurred to the lord advocate,

tary right. Besides the happy effects which behoved to flow from the abolition of heritable jurisdictions, the erecting of fortifications in the Highlands, with the garrisons which it behoved necessarily to be residing in, or marching through the country, would gradually diminish that antipathy which is conceived against every people but themselves, so common to those who have little intercourse with strangers. As the government has hardly ever drawn any rent from the estates which were forfeited, and annexed to the crown, but generally ordered the produce of these lands to be applied to the cultivation of the estates, agriculture is improved. But the progress in this article is by no means suitable to the expence of government, whose good intentions are, in a great measure, frustrated by the shameful jobbing and peculation of the factors upon the annexed estates. The money also which came down to pay the royal army, and the French gold which was sent over for the use of the Pretender, occasioned a considerable influx of wealth into the country.

But the time was drawing nigh when government was to drop her jealous and barbarous policy—when she was no longer to betray a suspicious dread of her own sons. The Earl of Chatham arose, and with him the glory of Britain. He stepped forth with a generous confidence, and courted the affections and services of a people who, since the revolution, had uniformly been neglected or oppressed. He wished to convert the deadly foe which rankled in the bosom, into one of the most active and vital supports of the constitution. The event justified his admirable policy. In the plains of

that he could bring him to more condign punishment, upon the statute against clandestine marriages, he served him with an indictment for transgressing it. This statute had been established directly with a view to support episcopacy against sectaries; then to turn it as an engine of destruction against that religion which it was meant to protect, was totally inverting its sense. But all the acts in favour of episcopacy had been abolished by William and Mary, parl. 1. sess. 1. c. 5. this consequently among the number. Further, episcopacy behoved either to be the established religion, or not. If it was the established religion, the priest could not be condemned as unqualified to celebrate marriage. If it was not the established religion, then it behoved to be ranked among the sects of nonconformity; now all laws against nonconformists were repealed by act 1690, c. 27. Further, all sorts of sectaries had been in use to have their marriages celebrated without challenge, by their respective ministers. Nay, it is the notorious law of Scotland at this hour, that any civil magistrate may pronounce a legal marriage; nay, that the ceremony of marriage is totally unessential to its validity. All these, notwithstanding, although urged by the counsel * for the prisoner, such were the complection of the times, such the public prosecutor, such the judges, and such the jury who were intimidated and dictated to by the judges, that this unfortunate man was sentenced to perpetual banishment. We cannot, without indignation, pass by such a scene of iniquity; and without putting juries in mind, that compliance to the dictates of corrupt judges, is the most mortal stab that can be given to the lives and properties of British subjects.

* Sir John Dalrymple, Baronet, Baron of Exchequer.

Germany, and wilds of America, the hardy mountaineers, led on by the sons of those gallant persons who perished in England by the hands of the executioner, have testified, by a fortitude of mind correspondent to the vigour of their constitution, that, either in foreign wars, or civil dissentions, the sons of the North are as good soldiers and loyal subjects as any in the British empire.

To avoid interrupting the detail of national affairs, we postponed to mention, in its chronological place, an event resulting from the rebellion, which annihilated, for a time, the existence of the city of Edinburgh, as a body corporate. The time appointed for making the annual election of magistrates and council having happened when the town was under the power of the Pretender, those concerned were so intimidated, that they did not proceed to make the election. The magistracy and council were exauctorated, by the lapse of time for which they were chosen to serve. Thus from Michaelmas, 1745, Edinburgh was devoid of any civil government.

Application having been made to the king for restoring its civil government to the town, his majesty was pleased to grant the citizens their request, by issuing an order for their making a poll election. Agreeably to this order, the incorporations assembled at their usual place of meeting, and chose their deacons. Public notice was then given, that the election of the magistrates, and others of the ordinary council of twenty-five *, was to proceed. Persons claiming to vote, were ordered to lodge their burgess tickets, at least three days previous to the election, with the city clerks, who were appointed to officiate at the poll. The burgesses polled in the order that they presented themselves. It was demanded, if any body had objections to offer against their right to vote; and, upon these being stated, if the case was clear, the overseers admitted or rejected their suffrages immediately; but, if dubious, they were admitted to poll in the mean time, and the objections to their votes were marked, that they might be examined in the end, in case such contested votes should have any influence on the election. The voters then gave in lists of the twenty-five persons whom they named as magistrates, and other members of the ordinary council; these were indorsed by the overseers, to be afterwards examined at summing up the poll. It was begun to be taken on the 24th, and ended on the 26th November, after intimation being made, that the poll was to be concluded; and the persons present being asked, if they had any objections to its being finished, the overseers

Nov. 24. 1746.

Nov. 28.

* Council Register, v. 66. 3d Jan. 1747. Maitland's History, p. 131.

adjourned the meeting till the 28th, against which day they declared they would name the persons chosen by the poll, which they did accordingly; persons named by the objectors having, in the mean time, been allowed to inspect the burgess tickets, and give in their objections.

The overseers of the poll having returned to the court, a certificate of the election having been regularly made, conform to the warrant issued for that purpose, the election was confirmed on the 17th of December; and, on the 3d of January following, the council met for the first time after the state of anarchy which had, for some time, prevailed in the city.

1747.

At this meeting, the members took the government oaths, and also those prescribed by the acts of council, 5th October 1658, 4th March 1673, and 1st Oct. 1678, 'That no provost, 'dean of guild, or treasurer, should be continued in office 'more than two years successively, nor bailie more than one.' They afterwards addressed his majesty upon the suppression of the rebellion, and ordered the freedom of the city to be presented in a gold box to the Duke of Cumberland, to whom they paid abundance of fulsome and absurd compliments upon the occasion.

The spirit of the citizens of Edinburgh, expanded by the tide of liberality, which flowed through the nation, in consequence of a successful war, and honourable peace, displayed itself in the extension of the city, and in carrying on works of public utility and domestic convenience. The improvement of the city became the object of general attention, and of parliamentary encouragement. Pamphlets were published, plans delineated, national subscriptions opened, and the authority of parliament interposed, to promote and execute the laudable spirit of improvement, which displayed itself to the honour of the country. When the flattering prospect was overcast; when the internal commotions of the empire had been productive of difficulties and disgraces, which prognosticated more fatal calamities; when the feeble, or misguided arm of the parent state, had discovered its impotency to quell the disobedience of the colonies, Edinburgh retained her spirit. Anxious to support the constitutional connection between the mother country and her colonies, the citizens of Edinburgh, in January 1778, made an offer to the king, to raise a thousand men for the support of government, which his majesty graciously accepted. The patronage and liberal subscription of the body-corporate of Edinburgh, of Sir Laurence Dundas, the city's representative, of the individual members of council, and of the citizens at large, aided by the general zeal in support of government, completed the regiment in four months.

1778.

LIBRARIES

BOOK SECOND.

CHAPTER I.

Of the Progress and present State of the City of Edinburgh.

THE city of Edinburgh is situated in fifty-five degrees, fifty-seven minutes of north latitude, and of longitude three degrees, fourteen minutes west from London. The ground upon which it is built is perhaps as singular, and in many respects inconvenient, as can well be figured. The palace of Holyrood-house, the eastmost boundary of the city, stands on a plain within two miles of the river Forth, from which it rises by a gradual ascent of ninety-four feet from the high water mark. From Holyrood-house there begins the narrow point, or, if we may be allowed the expression, the tail of a hill, which gradually, extending itself in breadth, rises in a steep and straight ridge, from which its shelving sides decline; the ridge terminating in an abrupt precipice, the site of the castle, at the distance of a mile in length, and one hundred and eighty feet in heighth from Holyrood-house.

The ridge of this hill forms a continued and very magnificent street. From its sides, lanes and alleys, which are there called *wynds and closes*, extending like slanting ribs; so that, upon the whole, it bears a striking resemblance to a turtle, of which the castle is the head, the high street the ridge of the back, the *wynds and closes* the shelving sides, and the palace of Holyroodhouse the tail.

The declivity of the hill upon the south is terminated by a level strip, on which the street called the *Cowgate* is built; thence the ground rises precipitately to the south, and terminates in a plain.

Upon the north, the descent from the High Street is steeper, and more profound. It is bounded by an inconsiderable morass, which formerly being overflowed, formed a lake called the *North Loch*, from the north side of which a bank rises, and spreads itself into a level field, constituting the area of the extended royalty.

It has been already observed, that, in the reign * of David II. the city of Edinburgh could not accommodate the
1346. numerous train of nobility which accompanied the French ambassador. The continual incursions of the English, to which Edinburgh, an unfortified town, lay exposed, retarded its increase. But, by the middle of the fifteenth century, it had grown to such consideration, that James II. ordained the *court† of the‡ four boroughs* to meet there allenarly, in all time coming. That prince first bestowed
1450. on the community the privilege of fortifying || the city, and surrounding it with a wall. He, at the same time, impowered the magistrates to levy from the inhabitants a tax proportioned to their possessions, to enable them to carry this work into execution.

By attending to the line of this wall, and of the extended walls in succeeding periods, we shall be able to form a distinct idea of the progressive extension of the city of Edinburgh.

It must be observed then, that, when the city was first fortified, the town wall, upon the north, came no further east than opposite to, and almost directly § north from the present reservoir, or water house, on the Castle hill. Between that and the foot of Halkerston's wynd, the city was defended by the North Loch; thence to the foot of Leith wynd, it does not appear how it was fortified, or that it was fortified at all. But, from the foot of Leith wynd to the Netherbow port, a continued range of houses on the west side of the wynd, and, after these became ruinous ¶, a wall, erected in their stead, formed a sort of defence.

The original wall of the city of Edinburgh described itself in this line. It began at the foot of the north-east rock of the castle, and was there strengthened with a small fortress adjoining to the rock, the ruins of which, from its vicinity to a spring of water, are still known by the name of *Well-house-tower*. Thence the wall extended itself eastwards, having the North Loch upon its north, and the Castle hill upon the south side, till it came almost opposite to the reservoir. There the wall took a southern direction, till it came to the top of the hill, where it was intersected by a gate of communication between the town and the castle. From this, the wall went sloping down the ** hill in an oblique manner, pointing to the

* Book I. c. 2. † Black on the privileges of royal boroughs, p. 175.

‡ The court which regulated matters concerning the utility of the different royal boroughs. The convention of royal boroughs is come in its place.

|| Maitland's History, p. 137. § Ibid. p. 138.

¶ James V. parl. 7. c. 102.

** In Currie's close, an alley about the middle of the Castle hill; a small remainder of this wall is still to be perceived on the west side of the close

south-east, till it came to the first angle in going down the West bow. Over this street, there was a port called the *Upper-bow-port*; and, upon the east side of this street, at the distance of about six feet from the ground, one of the hooks, upon which the gate hung, still remain in the original wall.

From this port, the city wall proceeded almost straight east, intersecting the present alleys leading from the High street to the Cowgate, in a line that would have cut off some feet from the south end of the present parliament house, and continued in that direction till it came to Gray's, alias the Mint Close, where, upon the east side of the close, nigher to the High Street than the Cowgate, a part of the town wall is still to be seen. From this, it proceeded, by a gentle turning, to the north-east, till it joined with that house which forms a projection upon the north side of the High street, which still is the *south west corner house* of a line of buildings that communicate and connect themselves with Leith Wynd. There was the original Netherbow-port.

The citizens of Edinburgh, it seems, became extremely fond to have their houses without the royalty, a passion which still adheres to their successors. Accordingly, the town wall was hardly built, ere a street, spacious for those times, sprung up, the Cowgate. We are informed by a writer of the sixteenth century, that * the nobility, the senators of the college of justice, and persons of the first distinction, then had their residence in the Cowgate. But the fatal overthrow of the field of Flowden, and the consternation with which it overwhelmed the citizens of Edinburgh, made those who had withdrawn beyond the royalty, extremely anxious to have a fortified wall, to defend them from the incursions of the English.

1513.

The extended wall of the city of Edinburgh was, (except in the south west quarter,) the same with that which now circumscribes the ancient royalty. Its limits are obvious to the present inhabitants; yet it is necessary to describe them. This new wall, then, is built close to the castle, upon the south east side of the rock. Thence it descends obliquely, till it comes to the West Port, from which it ascends part of the hill called the *High-riggs*, and turning eastwards, runs along the north side of the gardens of Herriot's hospital, and crossing the north avenue leading to that hospital, passes through the Grayfriars church yard to Bristo port. From Bristo port, the wall runs east, till it is intersected by the Potterrow port, from which it goes south for a few yards, then turning abruptly,

But some entire yards of it remain in a cellar presently belonging to Bailie William Trotter, lying in a close upon the west side of the *Bow*.

* Braun Agrippinensis de præcipuis totius universi urbibus, lib. 3. voce *Edenburgum*.

winds its course on the south side of the College, the Royal Infirmary, and High school yards, till it comes to the Pleasance. There it takes a northern direction, and, after being intersected by the Cowgate port, the inclosure is completed by the buildings on the west side of St Mary's wynd, till they join the place where the Netherbow port stood. The original
1571. Netherbow port stood about fifty yards further west than the late one. But that situation being found not well adapted for defence, a new one was built by the adherents of queen Mary; * and the late handsome gate, which was
1606. built a few years afterwards, intersected the High street, immediately above Leith and St Mary's wynds. This port being thought to embarrass the street, was pulled down by the magistrates, A. D. 1764.

These are the walls which still surround the ancient royalty,
1620. except on the south west, where the magistrates † having purchased about ten acres of ground, the area which is at present occupied by Herriot's Hospital, the Charity Work House, and part of the Grayfriars church yard, inclosed it, by extending the wall in a circular line from the West port to Bristo port.

It has been already observed, that, in the original wall of the city of Edinburgh, there was, on the Castle-hill, a port of communication between the town and the castle, which, on the extension of the southern wall of the city, was removed; that there was another in the *upper, or west-bow*, which was pulled down in the memory of many people yet alive, and of which the vestiges are still to be seen; and a third about fifty yards above the head of the Canongate. Whether there were any other ports, or where they were is less material than difficult to ascertain.

The ports of the extended walls are these: The *West-port*, so named from its being the western boundary of the royalty. It is situated at the foot of the Grass-market. Beyond it lies a suburb of the city of Edinburgh, and borough of regality, called Portsborough. This port was built A. D. 1514.

Next to this, on the south-east, is a wicket struck out of the town-wall, A. D. 1744, almost straight south from St Giles's church, for the more commodious access to the citizens, and those of the Charity Work House, to the public walks in the meadows.

North-east from the wicket, a port, built A. D. 1515, divides the royalty from a suburb called Bristo-street, which gives to the gate the name of *Bristo-port*. The suburbs, both here and in the neighbourhood of the Potterrow, have, of

* Maitland's History, p. 140. † Maitland's History, p. 139.

late, been greatly extended and improved; but of these more particularly afterwards.

The next outlet from the city to the suburbs, is the *Potter-row-port*, situated at the head of the Horse Wynd. It originally bore the name of *Kirk of Field-port*, from its vicinity to the church of St Mary in the field. It took its present name from a pottery in the neighbourhood.

North-east from this, stood a port which has been demolished since the middle of the last century *, called *St Mary-wind port*. This gate commanded the access to St Mary-wynd and the Canongate. It extended from east to west, across the foot of the Pleasance, immediately south from the Cowgate-port. Close to this gate stood the *Cowgate Port*, opening a communication from the Cowgate to St Mary wynd, and so to the suburb called Pleasance.

North from the Cowgate, the *Netherbow Port* united the city wall from St Mary wynd to Leith wynd, separating the High street from the Canongate. This port, which was built A. D. 1606, was the principal entry to the city. This gate has been rendered remarkable, by a bill having passed the House of Lords, for razing it to the ground, when the city incurred the indignation of the court, on account of the *Porteous mob* †. The Netherbow port was a handsome building, which went quite across the High Street, and joined with the houses on either side. The gate was in the centre of the building. It was strengthened by towers and battlements, on each side fronting the east, and through the southern tower there was a wicket for foot passengers. The whole building was two stories high; and there was a handsome spire in the centre. Upon the increase of wheel-carriages, the width of the passage was found unequal to the concourse of people who had occasion to pass that way; and, as the building was so crazy, that the gate could not admit of an enlargement, there was found to be a necessity for removing the whole. It was accordingly, by order of the town-council, pulled down A. D. 1764.

At the foot of Leith Wynd, that avenue to the city was guarded by a gate called *Leith Wynd Port*. Within it there was a wicket which still remains, giving access to Trinity College church. These, as well as a gate at the foot of Halkerston's wynd, lately pulled down, were built about A. D. 1560. Another gate gave access to the Canongate from the east. It extended from St Thomas's Hospital, (a building pulled down only last year), to the Tennis Court, which was burned down within these three years. This port is still known by the name of the *Watergate*.

The city, till within these few years, has occupied the same space of ground upwards of two hundred and fifty years; name-

* Gorden's Map of Edinburgh 1646. † See Book I. c. 6.

ly, the entire hill from the castle to the palace in length; and in breadth, upon the north, till the termination of the declivity by the north loch; but, upon the south, extending beyond the Cowgate to the top of the hill. In a description of the chief cities in the world, given about the middle of the sixteenth century, Edinburgh is said to be an Italian mile in length, and half a mile in breadth, which corresponds to the limits we have just described.

But this space was by no means occupied as it is at present. It came gradually to be more fully possessed, till the houses were crowded together, and piled to a height, perhaps not to be paralleled. Till the Reformation, the burying ground of the city of Edinburgh extended from St Giles's Church, over the Parliament Square and Back Stairs, to the Cowgate. At that time, the lands to the south of the Cowgate, were mostly laid out in gardens belonging to the convent of Black Friars, and church of *St Mary in the Field*, which extended almost from the Pleasance to the Poterrow-port; and from Bristo to the West-port *, the ground was laid out in yards, belonging to the Gray Friars. The magistrates applied to, and obtained from Queen Mary, a grant of the Grayfriars-yards to be a burying ground, '*being somewhat distant from the town.*' This spot had, notwithstanding, been enclosed within the city-wall before that period.

It appears, by the precautions appointed by James I. to be used against † fire, that houses within the borough were not then above twenty feet high, and that they were generally, if not universally, covered with thatch or broom. Even ‡ so late as the year 1621, it was found necessary to prohibit those roofs by acts of parliament.

Till the reign of James V. the meal-market, nay, it would appear, § the flesh-market also, were held upon the High Street; and till the end of the last century, ‖ a flesh market was kept in the high street of the Canongate, immediately below the Netherbow-port.

These, however, are not to be considered as arguing any comparative insignificancy of the city of Edinburgh. They proceeded from the rudeness of the times. The writers of those days speak of Edinburgh in terms that show the respectable opinion they entertained of it. 'In this city,' (says a writer of ' the sixteenth century), there are two spacious streets, of ' which the principal one, leading from the palace to the castle, ' is paved with square stones. The ¶ city itself is not built of ' brick, but of square free stones; and so stately is their ap-

* Council Register, v. 4. p. 41.; Braun Agrippinensis, lib. 3. voce *Edenburgum*. † James I. parl. 4. c. 73. ‡ James VI. parl. 23. c. 26.
§ James V. parl. 7. c. 103. ‖ Gordon's Map of Edinburgh, A. D. 1646. ¶ Braun Agrippinensis, lib. 3. voce *Edenburgum*.

'pearance, that single houses may be compared to palaces. 'From the Abbey to the Castle, (continues our author), there 'is a continued street, which, on both sides, contains a range 'of excellent houses; and the better sort are *built of hewn* '*stone*.' There are specimens of the building of the fifteenth century still remaining, particularly, a house on the south-side of the high street, immediately above Peebles-wynd, having * a handsome front of hewn stone, and nitches in the wall for the images of saints, which sufficiently justify our author's description.

In all the old houses remaining in Edinburgh, it is to be remarked, that the superstition of the times had guarded each house with certain cabalistical characters, or talismans, engraved upon its front. These were generally composed of some text of scripture, of the name of GOD, or perhaps of an emblematical representation of the resurrection. We shall here observe, that, in the front of a house on the south side of the High street, a little below Gray's Close, there are, in beautiful antique workmanship, the heads of the emperor Severus, and of his consort Julia. These are said to have been brought from a ruinous house on † the north side of the street, and having become the property of a baker, he was pleased to convert them into an *Adam and Eve*. For this purpose, he fitted the heads in a stone, upon which these words are engraved in Gothic characters: '*In sudore ‡ vultus tui vesceris pane A. D.* 1621.' Ever since, they have passed with the vulgar for our primeval parents.

In the middle of the last century, there was not a single court or square in Edinburgh; even the names were utterly unknown. The Parliament Square is the oldest in the city; to it the inhabitants gave the name of Parliament *close*. Milne's square, James's court, &c. are of a latter date. Argyle's square, and Brown's square, have been built within these thirty years. They are the last improvements, in conveniency of building, of which any vacant space in the ancient royalty could admit.

From confinement in space, as well as imitation of their old allies the French, (for the city of Paris seems to have been the model of Edinburgh,) the houses were piled to an enormous height; some of them amounting to twelve stories. These were denominated *lands*. The access to the separate lodgings, in these huge piles, was by a common stair, exposed to every inconvenience arising from filth, steepness, darkness, and danger from fire. Such, in a good measure, is the situation of the *old town* at this hour.

* This house was built about A. D. 1430. No private building in the city, of a modern date, is to be compared with it.

† Maitland's Hist. p. 169. ‡ *Thou shalt earn thy bread with the sweat of thy brow.*

CHAPTER II.

Of Churches and religious houses in Edinburgh fallen into decay—Church of St Mary in the Field, and Monastery of Black Friars—Monastery of Gray Friars—Chapel and Hospital of St Mary Magdalene—Private Oratory of Mary of Lorraine—Chapel of Holyrood, and Hospital of Maison Dieu—St Mary's Chapel—Chapel and Convent of Cistertian Nuns, and Hospital of the Virgin Mary—Hospital of our Lady—Chapel of St Ninian—St Thomas's Hospital—Chapels of St Mary, of St Roque, and of St John the Baptist—Monastery of St Catherine of Sienna—Chapels of Knights Templars, of St Leonard and St Placentia—Monastery of the Holy Cross, or Holyrood-house—Monastery of St Anthony, and Chapel and Hermitage of St Anthony Church of Restalrig—Monastery of Carmelite Friars, and Hospital of Greenside—Of the Leprosy, the Plague, the Small pox, and the Lues Venerea.

THE reformed, in the violence of their prejudices, have generally dwelt upon the pernicious tendency of the institutions of the Romish church, without allowing them the advantages which they undoubtedly possessed. We agree with the reformed, that many of these institutions gave encouragement to idleness, and, in their corruption, even promoted debauchery. But, at the same time, it must be allowed, that their general purpose was to promote learning, to afford relief to the distressed, and to encourage the exercise of piety, conform to the rites of their superstition. The lands which were ravished from them at the reformation, by the rapacious nobles, were applied to purposes far less beneficial to the community.

Church of St Mary in the Field, and Monastery of Black Friars.

The most considerable of the churches in Edinburgh that has fallen into decay, was *the collegiate church of St Mary in the Field.* This was a large and handsome building, in which a provost and ten prebendaries officiated. It was probably founded at the same time with the monastery of *Black Friars*, adjoining to it. This convent owed its institution to king Alexander II. in A. D. 1230. It was built nearly upon the same spot where the High School presently stands. The

church, again, stood upon the site of the college. These buildings, with the houses of the provost and prebendaries, and the gardens belonging to them, occupied the whole space on the south of the Cowgate, between the Pleasance and the Potter-row. The lane called Black Friars Wynd, which took its name from this religious body, was also their property, bestowed on them by the same king. This monastery was anciently denominated * *Mansio Regis*, i. e. the king's dwelling house, having been the residence of Alexander II. The church has been renowned, by that meeting of Scots ecclesiastics being held in it, which was summoned by Cardinal Bagimont, the papal nuncio, for ascertaining the amount of the church benefices. This valuation, which is still known by the name of Bagimont's roll, was made the standard for taxing the Scots ecclesiastics at the court of Rome. The provost's house has been rendered infamous by the murder of king Henry. Another celebrated building belonging to the Black Friars, was an episcopal house of the archbishop of St Andrews. The remains of it are still to be seen in the south east corner house of Black Friars Wynd.

This monastery was burned down A. D. 1528. It was hardly rebuilt at the reformation, when the ecclesiastics were stripped of all their possessions. The provost of the college sold his interest in the lands to the magistrates of Edinburgh, for the purpose of building a college. They afterwards obtained from queen Mary, a gift of all the religious houses and chapels in the city of Edinburgh, with all the lands and revenues belonging to them in any part of the kingdom; and particularly the lands belonging to the Black Friars, for the purpose of building an hospital, and supporting their poor. The magistrates, conceiving that they might erect an hospital more advantageously elsewhere, obtained a charter from James VI. whereby they were not only indemnified for not building an hospital upon the Black Friars lands, but also were empowered to dispose upon them, and to apply the feu duties, or purchase money, towards building and endowing an hospital at *Trinity College Church*. The lands belonging of old to the Church of St Mary in the Field, and Monastery of Dominicans, † or Black Friars are now principally occupied by the College, High School, Church of Lady Yester, Royal Infirmary, Surgeons Hall, and their respective environs.

* Braun Agrippinensis, voce *Edenburgum*; Keith's Catalogue, p. 269, 270. Maitland's History, p. 23, 29, 182, 356, 357.

† A small part of those religious buildings still remains, fronting the College wynd to the east. It is now converted into a brewery. Over the gate this motto is inscribed in Saxon characters, *Ave Maria, gratia plena, Dominus tecum.*

Monastery of Gray Friars.

James I. who endeavoured, by salutary laws, and encouragement to learning, to civilize the nation, established the monastery of *Gray Friars*. For this purpose he wrote to the Franciscans of Cologne, in Germany, desiring them to send some of their brethren into Scotland, for the propagation of piety and learning. In conformity to the king's request*, they sent *Cornelius of Zuritch*, a man of reputation, and some others of their order. A house was prepared for their reception, so magnificent for the times, that the friars, in their humility and self-denial, declined to lodge in it; nor was it without difficulty, that the repeated entreaties of the bishop of St Andrews prevailed on them to accept such spacious accommodation. This monastery was situated on the south side of the Grass-market, nearly opposite to the West Bow. Divinity and philosophy were constantly taught in it, till the demolition of the Convent at the Reformation. The Gray Friars were accommodated with spacious gardens, long since converted into a public cemitery.

Chapel and Hospital of St Mary Magdalene.

East from the convent of Gray Friars, there was an hospital called *Maison Dieu*; but the time and nature of the foundation cannot now be ascertained. By the beginning of the sixteenth century it had become ruinous; for, about that time, a citizen of Edinburgh, of the name of Macqueen, erected, on the side of its ruins, a chapel and hospital, dedicated to St Mary Magdalene. This foundation was designed to accommodate a chaplain and seven poor men. It was endowed with a pitiful annuity, payable out of certain lands; and the whole vested in trust, for these purposes, with the Corporation of Hammermen. The funds of this hospital are now applied towards the support of the poor of that corporation.

Private Oratory of Mary of Lorraine.

On the north side of the Castle Hill, in Blythe's Close, is an old building which had been erected for a lodging house, and private oratory for Mary of Lorraine, queen dowager of Scotland. Over the door are inscribed in Saxon characters, 'Laus et honor Deo,' and the cypher of Maria Regina. On the same side of the street, in Tod's Close, there was another private oratory of a mean appearance; in both these, the baptismal fonts are still remaining. Nigh the Weigh House, on

* Keith's Cat. p. 275. Council Register, v. 4. p. 6.

the south side of that street, there is also a building which has been set apart for devotion. Another, adapted to the same pious purpose, is to be found in Brown's Close, on the noth side of the High Street, opposite to the Tolbooth. We doubt not, but that many more of the present dwelling houses in Edinburgh, have formerly been consecrated to religious purposes; but to discover them would be much less material than difficult; for, at the Revolution, the mob not only ransacked and despoiled the chapel royal, but also rifled the houses, and defaced the chapels of all the papists in Edinburgh, and six miles round *.

Chapel of Holyrood, and Hospital of Maison Dieu.

In the lower part of the Old Church yard of St Giles, presently called the Back Stairs, stood the chapel of Holyrood, built in commemoration of Christ crucified. It was not demolished till the end of the sixteenth century. On the south side † of the High Street, at the head of Bell's Wynd, there were an hospital and chapel, known by the name of Maison Dieu. We know not at what time, or by whom it was founded; but, at the reformation, it shared the common fate of popish establishments in this country. It was converted into private property. This building is still entire; it goes by the name of the Clam Shell Turnpike ‡, from the figure of an escalop shell cut in stone over the door.

St Mary's Chapel.

About the middle of Niddry's wynd, is a chapel, founded by Elizabeth, countess of Ross, A. D. 1505, and dedicated to God, and the Virgin Mary his mother. Colvil of Easter Weemyss, and afterwards Richardson of Smeaton, became proprietors and patrons of this religious foundation. About the year 1600, one James Chalmers, a macer before the Court of Session, acquired a right to this chapel; and, in A. D. 1618, the corporations of Wrights and Masons, now known by the name of *the United Incorporations of Mary's Chapel*, purchased this || subject, which they still possess, and where they hold the meetings of the corporation.

* Letter of Sir James Dick, formerly lord provost of Edinburgh, 13th December, 1688, in possession of Sir Alexander Dick of Priestfield, Baronet.

† Keith's Cat. p. 290. Council Register, v. 5. p. 156. 184.

‡ A turnpike stair is the term used in Edinburgh, and over all Scotland, to denote a stair, of which the steps are built in a spiral form, like a screen winding round the same axis, in opposition to straight flights of steps, which are called scale stairs.

|| Archieves of the Incorporation of Mary's Chapel.

Chapel and Convent of Cistertian Nuns, and Hospital of the Virgin Mary.

Towards the head of St Mary's Wynd, upon the west side, there were a chapel and convent of Cistertian nuns, and an hospital dedicated to the Virgin Mary. The time and author * of this foundation are also unknown. Its revenues were very small. The chaplain's salary, A. D. 1499, was but sixteen shillings and eight pence sterling yearly, and the poor in the hopital were chiefly supported by voluntary contributions. No vestige of the building remains; but the street in which it was situated still retains its name.

Hospital of our Lady.

Thomas Spens Bishop of Aberdeen founded, A. D. 1479, an hospital in Leith wynd, for the reception and entertainment of twelve poor men. This hospital was dedicated to the Virgin Mary, and bore the name of *Hospital of our Lady*. It does not appear how these poor people were supported; for the yearly rents settled upon the hospital did not amount to twelve pounds sterling. The town council of Edinburgh having, at the reformation, become proprietors of this hospital, in consequence † of queen Mary's grant to them, of all the religious houses, colleges, &c. in Edinburgh, converted this hospital, A. D. 1619, into a work house, bestowing on it the name of Paul's Work, which it still retains.

The council, at the same time, brought five men from Holland, to instruct indigent boys and girls, in this work house, in the manufacture of coarse woollen stuffs. They also enlarged the hospital with additional buildings, for accommodating the manufactory. They furnished the poor children, whom they put to apprenticeship, with clothes and bedding, and paid the masters of the work thirteen pence and a third of a penny weekly, for the maintenance of each of the children, during the first year of their apprenticeship. This was considered as a very beneficial institution, and, accordingly, many well disposed people enriched it with donations. It seems, however, that the manufacture did not succeed, or that the town council grew weary of encouraging it; for they converted it into a correction house. They grew weary of this also; and, being resolved to rid themselves of a troublesome property, they sold it. Mr Macdowal, the present proprietor, carries on in it an extensive manufacture of broad cloths, hardly inferior to the English.

* Council Register, v. 1. 35; Keith's Catalogue. p. 283.

† Council Register, v. 5. p. 200, 201, v. 6. p. 190, 191, v. 13. p. 85, 86, 106, v. 14. p. 15; Maitland's History, p. 468.

Chapel of St Ninian.

North from the Hospital of our Lady, there was a chapel dedicated to St Ninian. The time and manner of its foundation and destruction are equally unknown. The under part of the building still remains. It is the nearest house to the Register Office on the south east, except the row of houses on east side of the Theatre. The lower storey was vaulted, and the vaults still remain. On these, a mean house, of a later date, has been superstructed, and the whole converted into a dwelling house. The baptismal font, which was there in danger of being destroyed, was this year, (1778,) removed to the curious tower built at Dean Haugh, by Mr Walter Ross, writer to the signet.

St Thomas's Hospital.

This hospital was founded in the reign of James V. by George Creighton bishop of Dunkeld. The building was immediately adjoining to the Water-gate upon the west. It was dedicated to God, the Virgin Mary, and all saints. Besides the motive of charity, another purpose of the institution was, that prayers might be put up for the soul of the founder, for that of the king of Scots, and those of sundry other persons mentioned in the institution. Special care too, was taken in allotting money for providing candles, to be lighted up during the anniversary mass of *requiem*, and the number and size of the tapers were fixed with a precision, which shows the importance in which these circumstances were held by the founder. The number of masses, Pater nosters, ave Marias, and credo's, to be said by the chaplains and beadsmen, is likewise distinctly ascertained.

The patronage of this hospital was vested by the founder in himself, and a certain series of heirs named by him. In A. D. 1617, this hospital was disposed of by the chaplains and beadsmen, with consent of the patron, to the bailies of the Canongate, to be used as an hospital for the poor of that district. At that time, it was rebuilt by its new proprietors, which appears from the following barbarous inscription and figures, over the entry to the hospital, viz.

'*Help here the poor, as ze vald God did zou. Junii* 19. 1617.'

Over this inscription are the figures of two cripples, an old man and woman, and above them the Canongate arms.

The magistrates of the Canongate, A. D. 1634, sold the patronage of this hospital to the kirk-session; still, however, to be applied to the same charitable purpose. Its revenues were, by degrees, entirely embezzled. In A. D. 1747, the

building was converted into coach houses; but, becoming ruinous, it was this year (1778) pulled down, and rebuilt in the shape of private houses and private property.

Chaples of St Mary, of St Roque, and of St John the Baptist.

There were a number of religious foundations in the parish of St Cuthberts. In the suburb of Portsborough, there was a chapel dedicated to the Virgin Mary, the remains of which are still to be seen at the foot of the Chapel Wynd. In the west end of the borough muir, there stood a large chapel, dedicated to St Roque, and round it there was a cemetery *, where those in Edinburgh, who died of the plague, were interred. The town-council, A. D. 1532, granted four acres of ground in the borough muir to Sir John Young the chaplain, for which he was bound to keep the roof and windows of the chapel, in repair; but, agreeably to the general embezzlement of religious and charitable foundations which took place at the reformation, no services were performed, but the very church and church yard converted into private property. The loss of this piece of ground is severely felt by the citizens, whose burying ground, which lies within the city, is by no means adequate to the vast increase of the inhabitants. A considerable part of the walls of this † chapel is still standing. East from the chapel of St Roque, there was a chapel dedicated to St John the Baptist; but we are not able to ascertain the time or manner of those religious foundations.

Monastery of St Catherine of Sienna.

South from the Meadow was a monastery of Dominican Nuns, founded by the Lady St Clair of Roslin, and dedicated to St Catherine of Sienna. At the reformation, the magistrates of Edinburgh seized upon the revenues ‡ of the convent. The poor gentlewomen who had there been educated as nuns, who, sequestered from the world, spent their lives in devotion, within walls which they deemed sacred, were turned out upon the wide world; nor would the magistrates, till

* Maitland's History, p. 172. 176.

† It is owing to the superstitious awe of the people, that one stone of this chapel has been left above another; a superstition which, had it been more constant in its operations, might have checked the tearing zeal of reformation. About thirty years ago, the proprietor of this ground employed masons to pull down the walls of the chapel; the scaffolding gave way; the tradesmen were killed; the accident was looked upon as a judgment against those who were demolishing the house of God. No entreaties nor bribes by the proprietor could prevail upon tradesmen to accomplish its demolition.

‡ Council Register, vol. 4. p. 93.; Keith's Catalogue, p. 280.

compelled by Queen Mary, allow the nuns a subsistence out of those very funds with which their own predecessors had endowed the Convent. The neighbourhood of this monastery still retains its name, but corruptly, the vulgar having perverted *Sienna* into a phraseology suitable to themselves, *the Sheens.*

Chapels of Knights Templars, of St Leonard, and St Placentia.

Opposite to the late monastery of *Sienna*, on the east side of Newington, there is a gentle eminence, vulgarly called *Mount Hooly*, a corruption of the *Holy Mount*, or *Mons sacer.* The place was so called, from a chapel of Knights Templars erected on it. As the knights of this order professed to defend the holy mount and sepulchre, and to protect pilgrims resorting to it, this branch of them, in commemoration of the grand object of their order, had bestowed on the site of their chapel the name of the *Holy Mount.* In digging this ground some time ago, several bodies * were found there, buried cross-legged, and having swords by their sides.

On the east side of the road to Dalkeith, there was a chapel and hospital dedicated to St Leonard. The lands belonging to this chapel were granted to the magistrates of the Canongate, by King James VI. for the support of St Thomas's Hospital. The fate of that hospital, and the embezzlement of its revenues, have already been mentioned. The land in this neighbourhood still bears the name of *St Leonard's-hill.* A part of this hill belongs to the Quakers, and is used by them as a burying ground. In another part of it, children who have died without receiving baptism, and men † who have fallen by their own hand, use to be interred.

Nigher to the city, about sixty yards from the south-east angle of the town wall, on the west-side of the street, there was a priory of nuns dedicated to *St Mary of Placentia.* This street still bears, corruptly, the name of *Pleasants.* The time, and the authors of these religious foundations, are unknown.

Monastery of the Holy Cross, or Holyrood-house.

The Abbey of Holyrood-house was founded by King David I. A. D. 1128, and richly endowed. He bestowed on the

* Maitland's History, p. 176.

† 'Infantumque animae flentes in limine primo:
'Quos dulcis vitae exortis; et ab ubere raptos,
'Abstulit atra dies, et funere mersit acerbo.'
'Proxima deinde tenent moesti loca, qui sibi letum
'Insontes peperere manu, lucemque perosi
'Projecere animas.'—VIRG.

canons-regular of St Augustine, the church of Edinburgh castle, and those of St Cuthberts, Corstorphine, and Libberton, in the county of Mid-Lothian, and of Airth in Stirlingshire. The priories of St Mary's Isle in Galloway, of Blantyre, in Clydsdale, of Rowadill in Ross, and of Crusay, Oronsay, and Colunsay, in the western isles, also belonged to them. King David granted to the canons the privilege of erecting a borough, between the town of Edinburgh and church of Holyrood-house, which still retains the name of *Canongate*, with a right to hold markets in it. He also gave them portions of land in different parts, with a most extensive jurisdiction, and right of trial by duel, and fire and water ordeal. He allotted them certain revenues payable out of the exchequer, and out of other funds, with fishings, and the privilege of * erecting mills on the water of Leith; which, from the name of the body in which the privilege was vested, are still termed the *Canon-mills*.

Besides the grants already mentioned, various privileges were bestowed on this abbey, by succeeding sovereigns; so that it was deemed the most opulent religious foundation in Scotland. Its annual revenues, at the reformation, were four hundred and forty-two bolls of wheat, six hundred and forty bolls of bear, five hundred and sixty bolls of oats, *five hundred capons*, two dozen of hens, two dozen of salmon, twelve loads of salt, besides a number of swine, and about L.250 Sterling in money.

At the Reformation, the superiority of the Canongate, North Leith, and a part of the suburb of Pleasants, and barony of Broughton, was vested in the Earl of Roxburgh. The town-council of Edinburgh purchased these superiorities from the Earl, A. D. 1636, and obtained a charter of confirmation of the same from King Charles I. A. D. 1639.

The church of Holyrood-house suffered considerably when the English burned down the palace, upon their invasion † by sea, A. D. 1544. However, both church and palace were speedily repaired. At the restoration, King Charles having resolved to rebuild the palace, and, at the same time to give the church a complete repair, ordered that it should ‡ be set apart as a chapel-royal in all time coming, discharging it from being used as the parish church of the Canongate, which it had hitherto been. It was accordingly fitted up in a very elegant manner. A throne was erected for the Sovereign, and twelve stalls for the knights of the order of the Thistle; but, as it was accommodated with an organ, and as mass had been

* City cartulary of Edinburgh, vol. 4. box 6. bundle 1. No. 1.; Keith's Cat. p. 238.; Council Reg. vol. 14. p. 390.; Maitland's History, p. 148.

† See lib. 1. c. 1.

‡ Records of privy council, No. 2. p. 649. 13th September 1672.

celebrated in it, in the reign of James VII. the populace giving vent to their fury at the revolution, despoiled the ornaments of the inside of the church, leaving nothing but the bare walls. They even broke into the vault which had been used as the royal sepulchre, in which lay the bodies of King James V. of Magdalene of France, his first queen, of the Earl of Darnley, and others of the monarchs and royal family of Scotland. They broke open the lead coffins, carried off the lids, but left the rest. These walls, which could withstand the fury of a mob, have since been brought to the ground, through the extreme avarice or stupidity of an architect.

As the roof of the church was becoming ruinous, the Duke of Hamilton, *heritable* keeper of the palace, represented its condition to the Barons of Exchequer, and craved that it might be repaired. To this effect an architect and mason were consulted. The walls of the church were already upwards of six hundred years old, and were but in a crazy condition; yet did these men propose, instead of putting a slate roof on it, to cover it with flag-stones, to support which, a deal of stone-work would be necessary about the roof, and about which it would be difficult to follow and judge of the estimate of the architects. They accordingly gave in a plan and estimate of the work, amounting to L.1003, which was * approven of by the Barons of Exchequer, 7th August 1758. The new roof soon injured the fabric. A report was made to the Barons by another architect, in A. D. 1766, that the church would speedily become ruinous, if the new roof was not taken off, *as the walls had never been intended for so vast a load.* Nothing was done in consequence of this report, and the church fell on the 2d December 1768.

When we lately visited it, we saw, in the middle of the chapel, the broken shafts of the columns which had been borne down by the weight of the roof. Upon looking into the vaults, the doors of which were open, we found, that what had escaped the fury of the mob, at the revolution, became a prey to the rapacity of the mob, who ransacked the church after it fell. In A. D. 1776, we had seen the body of James V. and some others, in their leaden coffins. The coffins were now stolen. The head of Queen Magdalene, which was then entire, and even beautiful, and the skull of Darnley, were also stolen. His thigh-bones, however, still remain, and are proofs of the vastness of his stature. In the belfry, there are a marble monument and statue of Robert Lord Belhaven, who died A. D. 1639. The figure is reclining at full length, and the execution is masterly; being inferior to few of the monuments in Westminster abbey. It has suffered somewhat by the fall

* Records of Exchequer.

of the church; part of the nose is broke off, and some joists which are hanging loose in the belfry, threaten, in their fall, to demolish it.

Monastery of St Anthony, and Chapel and Hermitage of St Anthony.

The local situations of the monastery of the *Knights Templars of St Anthony*, and of the chapel, with the hermitage dedicated to the same patron, were totally separate and distinct; yet we think proper to describe those religious foundations together. The former was * erected north-west from the present church of South Leith, upon the west side of the alley still denominated *St Anthony's Wynd.* There the fraternity had a church, church yard, monastery †, and gardens. These, and all the lands belonging to this convent, were vested by James VI. in the kirk session of Leith, for endowing an hospital founded by them A. D. 1614, called *King James's Hospital*, on which the royal arms are still to be seen.

The chapel and hermitage of St Anthony were situated in the King's Park, on the north side of Arthur's seat. The spot was well adapted for an hermitage. Although in the neighbourhood of a populous city, it bore the appearance, and possessed the properties of a desart. Sequestered from the rest of mankind, the holy hermits might there dedicate their lives to devotion. The barrenness of the rock might teach them humility and mortification; the lofty site, and extensive prospect, would dispose the mind to contemplation; and, looking down upon the royal palace beneath, they might compare the tranquillity of their own situation, preparing their minds for the scene of everlasting serenity, which they expected hereafter, with the storms which assailed the court, amidst a tumultuous and barbarous people.

The cell of the hermitage yet remains. It is sixteen feet long, twelve broad, and eight high. The rock rises within two feet of the stone arch which forms its roof; and, at the foot of the rock, flows a copious and pure stream, celebrated in an old Scottish ballad.

Nine yards east from the hermitage stood the chapel of St Anthony. This was a beautiful Gothick building, well suited

* Keith's Catalogue, p. 241. Maitland's History, p. 489. 495.

† The seal of this convent is preserved in the library of the Faculty of Advocates. It bears the figure of St Anthony, in a hermit's mantle, with a book in one hand, and staff in the other; and, at his foot, a sow, with a bell about its neck. Over his head, there is a capital T, which, it seems, the brethren wore in blue cloth upon their black gowns. Round the seal, there is this inscription, 'S. COMMUNE PRECEPTORIÆ SANCTI ANTHONII PROPE 'LEICHT.' The account of this monastery in Keith's Catalogue is, in many respects, both erroneous and defective.

to the rugged sublimity of the rock. It was forty-three feet long, eighteen broad, and eighteen high. At its west end, there was a tower of nineteen feet square; and, it is supposed, before its fall, above forty feet high. The doors, windows, and roof, were Gothick; but it has been greatly dilapidated within the author's remembrance, and ere long, hardly a vestige of it will remain.

Church of Restalrig.

About a mile east from Edinburgh, in a hollow plain, stands the ruinous church of Restalrig. It was founded by James III. in honour of the Trinity, and the Virgin Mary, and was endowed by the two next succeeding monarchs. James V. placed there a dean, nine prebendaries, and two singing boys. But, at the reformation, the General Assembly, in their wisdom, ordered it to be demolished, *as a monument* of idolatry.* Notwithstanding this superstitious mandate of the General Assembly, the remains of a beautiful Gothick window, in the east end of the church, and part of the walls, are yet standing. The cemetery around it is used as a burying place, principally by Englishmen, and those of the episcopal communion. In the middle of the church yard, there is a spacious vaulted mausoleum, of a circular figure, with yew trees growing on its top, which was originally the family vault of Logan of Restalrig. It afterwards became the property of the lords of Balmerino, and presently belongs to the Earl of Moray. In this vault, there are the remains of persons who have been interred there some hundred years ago, particularly those of '*Lady Janet Ker, Lady Restalrig, quha departed this life* 17*th* '*May* 1526.'

Monastery of Carmelite Friars, and Hospital of Greenside.

A church and monastery of Carmelite Friars were founded by the Lord Provost and council of Edinburgh, and dedicated to the *Holy Cross*, A. D. 1526. But, as these religious orders were suppressed at the reformation, this building was soon converted to another purpose, to an hospital† for persons afflicted with the leprosy, founded by John Robertson, merchant in Edinburgh, A. D. 1591.

It is a curious, yet neglected object of disquisition, '*how* '*certain diseases spring up and die away in different ages.*' The frequency of the leprosy among the Jews is known to

* Book of the Universal Kirk, p. 3.
† Keith's Catalogue, p. 279. Maitland's History, p. 214.

every one, and its loathsomeness and severity are pathetically described in the book of Job; but our ancestors, also, were much afflicted with the leprosy. It was by no means a disease peculiar to the poor, but equally visited the cottage and the palace. King Robert Bruce, who was said himself to have been afflicted with the leprosy, founded, near the town of Air, an hospital for persons labouring under that distemper. In the reign of James I. it was so general *, as to be the object of parliamentary regulation. At the institution of this hospital of Greenside, seven lepers, all of them inhabitants of Edinburgh, were admitted in one day. The severity of the regulations which the magistrates appointed to be observed by those admitted into the hospitals, segregating them from the rest of mankind, and commanding them to remain within its walls night and day, demonstrates the loathsome and infectious † nature of the distemper. It has been already observed, that the magistrates of Edinburgh, in consequence of a grant by king James III. vesting in them an ample jurisdiction and powers to make statutes and by-laws for the government of the borough, had assumed to themselves a most extravagant and tyrannical power, of declaring such offences to be capital as they conceived a particular aversion to. Accordingly, the lepers were discharged to go without the hospital, or to have its door open after sunset, *under pain of death*. That this might not be deemed an empty threatening, a gallows was erected at the gavel of the hospital for the immediate execution of offenders.

The frequency of this distemper is evinced from a regulation, making the being born in Edinburgh, or, at least, a residence there for seven years, an indispensible requisite to admission. Yet, it is now so totally worn out, that physicians of the first practice do not understand the nature of the disease, perhaps never met with an instance of it.

* James I. parl. 7. c. 106. A. D. 1427.

† This distemper has been inconceivably dreadful among the Jews. It infected not only persons, but houses also. 'And he shall look on the plague, '(of the leprosy) and behold if the plague be *in the walls of the house, with* '*hollow strakes, grecnish or reddish*, which in sight are lower than the wall; 'then shall the priest go out of the house, to the door of the house, and shut 'up the house seven days. And the priest shall come again the seventh day, 'and shall look; and behold, if the plague be spread into the walls of the 'house, then the priest shall command *that they take away the stones in which* '*the plague is*, and they shall cast them into an unclean place without the 'city. And he shall cause the house to be scraped within round about; and 'they shall pour out the dust that they scrape off without the city, into an 'unclean place. And, if the plague come again, and break out in the house, 'after that he hath taken away the stones, and after he hath scraped the 'house, and after it is plastered, then the priest shall come and look, and be-'hold, if the plague be spread in the house, *it is a fretting leprosy in the house*: '*It is unclean*. And he shall break down the house,' &c. Leviticus, c. xiv. v. 37, &c.

It will not be improper, in this place, to say a few words concerning some other distempers, which have worn out, or originated, during the æra of our history. The plague, which, in different periods, has raged, with various degrees of fury, through most countries of the world, and which was the sharpest scourge that ever visited the human race, frequently broke out in Edinburgh. But there has been no appearance of it in that city since A. D. 1645; yet the town was not nearly so crowded with inhabitants, at that period, as a hundred years later. Neither has the plague broke out in London since the great fire in that city A. D. 1666, nor, in so far as we know, in any part of the island. To what, then, is the expiry of these diseases to be attributed? To a change in the manner of living; to the improvement of agriculture, yielding a larger quantity of grain, and the cultivation of pasture, affording fresh meat in all seasons of the year; to the vast increase in the cultivation and consumption of vegetables; to a more frequent change * of linen; and to an increasing attention to cleanliness, both in person and lodging. Thus, in these articles, what is essential to elegance and luxury, is conducive to health.

If modern Europe, or at least this island, has been delivered from the plague and the leprosy, she has, at the same time, been visited with two distempers formerly unknown, and which have made great havock. Both these have been owing to accident; the one to a commerce with the Turks; the other to an intercourse with the natives of America. These distempers have abated of their original fury. For the first, the incomparable Lady Mary Wortley Montague introduced, from the country which gave us the disease, a remedy disarming it of all its terrors. A remedy so complete, that we hesitate not in the least to pronounce those parents, who will not innoculate their children for the small-pox, accessory to their death. If the clergy would attend to the spirit of the religious institutions of the Old Testament, particularly to that of circumcision, and those of pollution † and purification, they would perceive them to have been dictated with a view to health, adapted to the natives and the climate. Thence they would discover it to be their duty, to inculcate upon their flocks, habits conducive to health, and particularly the *practice of innoculation*.

When the disease communicated to the Europeans, in the discovery of the new world, spread into Scotland, it was believed to be highly contagious. The privy council sent the magistrates of Edinburgh the following order respecting persons afflicted with that distemper: ‘ That all manner of per-

* The last archbishop of Glasgow put on a clean shirt once a-week.

† See Leviticus, c. xv.

'sons being within the freedom of this burgh, who are infect-
'ed of the said *contagious plague called the Grandgore*, devoid,
'rid, and pass furth of this town, and compeer upon the sands
'of Leith, at ten hours before noon, and there shall have and
'find boats ready in the harbour, ordered to them by * the
'officers of this burgh, readily furnished, with victuals, to have
'them to the *Inch*, (island of Inchkeith) and there to remain
'till God provide for their health. And that all other per-
'sons who take upon them to heal the said contagious infir-
'mity, and take the care thereof, that they devoid and pass
'with them; so that none of those persons who take the cure
'upon them, use the same cure within this burgh.' The penalty of contravention, either by the diseased, or their physicians, was burning on the cheek.

CHAPTER III.

Of the Present Religious Establishment of Edinburgh—Of St Giles's Church—The Old Church—The Tolbooth Church—Haddow's Hole Church—Trinity College Church—Old Gray Friars Church—New Gray Friars Church—The Burying Ground—Tron Church—Lady Yester's Church—Canongate Church—Church of St Cuthbert's—Chapel of Ease—Lady Glenorchy's Chapel—Earse Church—The English Chapel—Popish Chapel.

THE city of Edinburgh was originally comprehended in one parish, and the ministers had manses in the Parliament Close. But the seditiousness of the clergy having brought the city under a sentence of high treason, James VI. upon restoring the town, insisted that the parsonage-houses should be given up to him, and the clergy live dispersed in the different quarters of the city, which was distributed into eight parishes, to each of which a minister was appointed: for the king thought, that by living † beside each other, they had the greater opportunity for plotting and consulting together, and that the rabble had, as it were, a common rendezvous, where

* Council Register, vol. 1. p. 33. 22d Sept. 1497.
† Council Register, v. 10. p. 117, 131. v. 13. p. 274, 277, 289, 304. Spottiswood's Hist. p. 443.

they were instigated to tumult and rebellion. The city (that is, the ancient royalty, independent of the suburbs) was afterwards, A. D. 1625, formally divided into parishes; but these were reduced to four in number, and their different limits described. The churches, in the respective parishes, being insufficient to accommodate the citizens, new churches were built, and the town divided into six parishes, A. D. 1641; but the whole ancient royalty is now considered as one district, called the parish of St Giles; and, upon the enlargement of the city, the extended royalty was annexed to the same parish.

In A. D. 1625, Charles I. bestowed on the town-council the right of patronage to all the churches in Edinburgh, a right, which, some years ago, was judicially contested, was prosecuted by the town-council, at a considerable expence, and in the issue they were victorious: yet, partly from pusillanimity, partly from a desire to cultivate the good will of the citizens, upon whom their election into office in some instances depends, the town-council have hardly ever exerted this privilege, for which they so warmly contested; but they uniformly present the clergyman who is chosen by the majority of the general kirk-sessions of Edinburgh. This, which to people unacquainted with particulars, may appear to be the effect of liberality and moderation, is, by no means, a commendable practice.

The presbyterian clergy of Scotland, who, in the course of our history, have been seen to involve the nation so often in tumult and rebellion, are still a divided sect. The right of patronage is the grand touchstone of the respective parties. The one set, which encourages patronage, are men of moderate and peaceable principles, both respecting church and state, who discharge quietly the duties of their function. The other, who are violent enemies to patronage, are more bigotted in their religious principles; men who are ever inclined to advance the republican part of the constitution, and who are always endeavouring, by arts suitable to the end, to insinuate themselves into the favour of the rabble.

By these men, but much more by Seceders, Methodists, Cameronians, Independents, Anabaptists, Bereans, and the endless tribe of sectaries, fanaticism is propagated, is productive of much distress in private families *, and of the most

* The danger to young people, particularly those of the female sex, from the people who take upon them to be preachers, ought to be strictly guarded against. It frequently happens, that a father is robbed of all his family by these wholesale dealers in poison. A young girl, for instance, goes, out of idle curiosity, or from being prevailed upon by a fanatic acquaintance, to hear one of those preachers. Her imagination is inflamed, her judgment is perplexed by his rhapsodies. She becomes a convert, and is seized with the concomitant desire of making proselytes. The father interposes by his advice and authority;

ridiculous and fluctuating whimsies in the individuals who are possessed with these unhappy notions.

The danger that must accrue to the state, if this spirit of fanaticism should become general, is obvious. The best way to repress it, is by the patrons of different churches, particularly where there are leading and numerous congregations, presenting men of prudent conduct, of peaceable and moderate principles, and who (if possible) are agreeable to the parishioners; but in no ways to encourage or admit the shadow of a popular election.

In A. D. 1633, Charles I. erected Edinburgh into an episcopal see, appointing, for its diocese, all the lands besouth the River Forth, which had formerly belonged to the archbishopric of St Andrews, and he gave the bishop precedence * next to the archbishops of St Andrews and Glasgow. He appointed the chapter to consist of a bishop, dean, and twelve prebendaries, to whom, and their successors, he granted sundry churches, but naming that of St Giles as the cathedral. This, however, was a very short-lived institution. In A. D. 1639, episcopacy was abolished. Upon the restoration, it was re-established; and it was again suppressed at the revolution.

Since that period, the presbyterian worship and form of church government have taken place; that is, by kirk sessions, presbyteries, synods, and general assemblies. To every church there is a kirk session, composed of the parson of the parish, and certain laymen, who are called ruling elders. Their jurisdiction (which extends no further than their own parish) chiefly consists in the management and application of the collections made at church doors, and other funds destined for the poor, in cognoscing such matters of scandal as arise from a breach of chastity, and passing censures upon these incontinent persons, and in giving their voice of approbation, or disapprobation, of the minister presented to their church by the patron, (which is termed *the moderation of the call,*) a form still retained, but which is, in nowise, essential to the presentee's enjoying all the revenues or temporalities of the benefice. And, even as to the installment in the pastoral office, or what is termed the *spiritualities* of the benefice, the supreme judicatory of the church has, of late, uniformly admitted the qualified person presented by the patron, overlooking the parish-

but the *tics of the flesh* are not to restrain the *calls of the spirit*. Filial affection and duty are thrown off; the girl is unhappy but in the company of her own persuasion; and, by a similarity in religious principles alone, she is led to conclude a marriage with a person, with whom meanness, poverty, and ignorance, must be her lot for ever.

* Council Register, v. 14. p. 282. Maitland's History, p. 280.

ioners opinion of the choice made by him, as inconsistent with the established law of patronage.

The kirk session is the lowest judicatory of the church. Their sentences are liable to the review of the presbytery, the court immediately superior. It is composed of the ministers in a certain district, and of laymen, who are called ruling elders, one * from each parish. Besides reviewing the decrees of the kirk session, this judicatory makes trial of the qualifications of candidates for the clerical function, into which they are admitted by the ceremony of imposition of hands, accompanied by prayer. From the presbytery, an appeal lies to the provincial synod, made up of the several presbyteries in the province; and the judgments of the synod are liable to be reviewed by the General Assembly, the supreme ecclesiastical tribunal of Scotland. This court is composed of certain ministers and elders from each presbytery; as also, of representatives from the royal boroughs and universities.

The genuine spirit of the presbyterian religion hath ever claimed an absolute independence upon the civil magistrate, in all ecclesiastical affairs. It has, accordingly, been their policy to make choice of a head, which was not likely to interfere with their government of the church. Full of the independence of the religious order, they have contended, that even a charge of high treason for words spoken from the pulpit, is cognisable alone by an ecclesiastical judicatory; and, in the zenith † of their power, they have gone the length to repeal sundry acts of parliament. The clergy, ever attentive to the aggrandizement of their order, at the expence of the power of the crown, or the liberty of the people, took advantage of the distresses of government, when James VI. was harrassed, on one hand, by plots of the popish Lords, on the other, by those of the Earl of Bothwell; and, when he had been rendered unpopular by one of his officers having killed the Earl of Murray, they snatched the opportunity of getting an act passed, not only ratifying the presbyterian church government, and repealing, in whole, or in part, certain statutes prejudicial to it, but seeming to impower the General Assembly to call and hold meetings by their own ‡ authority, whose acts should be valid, without the royal presence or assent. Here was a power, set up independent of all the estates of parliament; an authority greater than that possessed by the Lords or Commons, or even by the church in the holy Roman empire whose general councils weresummoned, and decrees authenticated by the Emperor. The whole of this act is perplexed

* James VI. parl. 12. c. 114. † See book i. c. 1. and 3.
‡ James VI. parl. 12 c. 114; Bankton's Institutes, v. 2 p. 591.

and ambiguous, the seeming tenor of the words running counter to the apparent views of the parliament.

This statute had been repeatedly abrogated and re-established. At the Revolution, king William was greatly perplexed by the contradictory reports that were made to him of the religious affections of the people. The gentry, and the northern counties, in general, approved of the episcopal; the southern counties, and the commonality, were attached to the presbyterian religion. It would appear, that William was satisfied, upon pretty just grounds, that the episcopal clergy of Scotland entertained a bigotted attachment to monarchy, and the house of Stuart; while the presbyterians were mortal enemies to that family, and (to say the least) by no means sanguine in their approbation of monarchy. But, as William dreaded the unconquerable attachment of the former to the house of Stuart, he entered into the views of the presbyterian party. The acts in favour of the presbyterian religion, which had been abrogated, were re-established *, particularly the statute seeming to confer powers so unconstitutional and dangerous, upon the General Assembly.

As the royal assent is not necessary to give legal sanction to the acts of the General Assembly, there is no other check upon them than the power of dissolving them, which may be exercised when the assembly proceeds to unwarrantable measures; a power which, therefore, it cannot be presumed the civil authority to have renounced. The statute seeming to authorise the clergy † to call and hold assemblies, does not repeal the act ratifying the king's authority over all states in the kingdom, ‡ spiritual as well as temporal; but only declares, that it shall not be prejudicial to the privileges *that God has given to the spiritual office-bearers in the church.* It seems to be the natural interpretation of this statute, supported by practice, that it does not authorise meetings of the General Assembly to be held without the royal authority.

The exercise of such power in the church would be incompatible with a regular government. Accordingly, since the Revolution, the clergy have uniformly acknowledged the interposition of civil authority to be necessary to the holding of General Assemblies.

A remarkable instance of this occurred A. D. 1746. By some accident, the commission, appointing a person to represent his Majesty in the General Assembly, did not arrive on the day when the Assembly was appointed to meet. The day appointed for their meeting, which was the 8th of May ||, they

* William and Mary, parl. 1. c. 5. † James VI. parl. 12. c. 114.
‡ James VI. parl. 8. c. 129. || Register of General Assembly, A. D. 1746.

spent in religious worship, as usual; but did not choose a moderator. The next day, also, they spent in prayer. But, on the day ensuing, after choosing a moderator, they adjourned till the sixteenth, against which time they knew a commission from his Majesty would arrive.

This ecclesiastical court is appointed to be held once in the year. There are few instances of its being assembled any where but in Edinburgh. The form of calling and dissolving this court, which is still retained, is a mark of the independence upon the civil power which was claimed by the presbyterian clergy. The moderator, (who is speaker of the assembly), in closing the court, declares it to be dissolved, *in the name of the Lord Jesus Christ, the head of the church*, and, by the same authority, indites another to meet on a certain day of the ensuing year. Then the Commissioner, in his concluding speech, dissolves the assembly, *in the name of the King, the head of the church*, and by his authority indites another to be held on the same day named by the moderator.

Of the Church of St Giles.

St Giles, Abbot and Confessor, patron of this church, was the tutelar saint of Edinburgh. He was born in Greece in the sixth century, and descended of illustrious parentage. Both his parents being dead, he gave all his wealth to the poor, and left his native country. He travelled into France, and retiring into the deep recesses of a wilderness, nigh the conflux of the Rhone with the sea, he continued there for three years, living entirely upon * the spontaneous produce of the earth, and the milk of a deer. He was reputed a person of extraordinary virtue and sanctity, and, like other popish saints, various miracles were attributed to him. He founded a monastery in Languedoc, which was long after known by the name of *St Giles's*, and induced many to embrace a life of retirement and devotion.

In the reign of James II. Preston of Gorton, a gentleman whose descendants are to this hour proprietors of that estate in the county of Edinburgh, by the assistance of the king of France, got possession of a supposed arm-bone of this holy man. He bequeathed this esteemed relique to the church of St Giles in Edinburgh. The magistrates of that city, in gratitude for † the donation made to their church, granted a charter in favour of the heirs of Preston of Gordon, entitling the nearest heir of the donor, being of the name of Preston,

* Baronii martyrologium Romanum, p. 389; Martyrologium Adonis, p. 443; Usuardi Martyrologium, p. 507; Mabillon's Annales Ordinis Benedicti, p. 99.

† Collection of charters in the Advocates' Library, p. 78. 11th January 1454.

to carry this sacred relique in all processions. The magistrates, at the same time, obliged themselves to found, in this church, an altar, and to appoint a chaplain for celebrating an annual mass of requiem for the soul of the donor; and that a tablet, displaying his arms, and describing his pious donation, should be put up in the chapel. The relique, enshrined in silver, was kept among the treasure of this church till the Reformation.

At what time this religious foundation was established is unknown; but it is of considerable antiquity. A passage in an old author makes it probable, that this church was established before A. D. 854 *; but express mention is made of it A. D. 1359. It was simply a parish-church, of which the bishop of Lindisfarn, or Holy Island, in the county of Northumberland, was patron. To him the abbot and canons of Dunfermline succeeded in the patronage; and to them, the Lord Provost and magistrates of Edinburgh. Such was the estimation of this religious establishment, that, about forty altars, dedicated to different saints, were founded in it. In A. D. 1466, it was erected into a collegiate church by James III. The chapter consisted of a provost, curate, sixteen prebendaries, a minister of the choir, four choristers, a sacristan, and beadle. To each of them distinct salaries were appointed.

The church of St Giles is a beautiful Gothic building, in length, from east to west, on the outside of the wall, two hundred and six feet. Its breadth, at the west end, is one hundred and ten feet, in the middle a hundred and twenty-nine feet, but at the east end only seventy-six. It is adorned with a lofty square tower, the top of which is encircled with open figured stone-work, resembling the ornaments that enrich the circlet of an imperial crown. From each side and each corner of the tower, rises a slip of stone-work, which meeting in the top with that which springs from the opposite side, forms four arches intersecting each other, and compleating the figure of an imperial crown, the top of which terminates in a pointed spire. The church is built on a very elevated situation, and the heighth of the spire is a hundred and sixty one feet.

At the Reformation, this church was, for the greater commodiousness, divided by partition walls. The four principal apartments are allotted for divine worship; the lesser ones to other purposes. The chief of these divisions is called the *New Church*. It is formed out of the choir of St Giles's. In it are the king's seat, those of the lord provost and magistrates,

* Simeon Dunelmensis de gest Ang. ad A. D. 854.; Carta David II. in archiv. Edin.

and of the judges of the court of session *, this being the principal church in the city.

The Old Church.

The central part of St Giles is fitted up as a place of worship, for the accommodation of the citizens, and called the Old Church.

The Tolbooth Church.

Upon the Reformation, the presbyterians conceived an immoderate aversion at bestowing the names of any of the saints upon their churches; but distinguished them by some circumstance, respecting the time or manner of erection of vicinity, &c. This church accordingly, which occupies the south west quarter of St Giles's, from its vicinity to the prison house, was termed the *Tolbooth* church.

Haddow's Hole Church.

This occupies the north west part of St Giles's. It was not fitted up as a place of worship till A. D. 1699. It takes the name of Haddow's hole, from its having been made a prison, in which a gentleman of the name of Haddow was long confined.

Besides these churches, the smaller apartments in this cathedral are appropriated to several purposes. The chief of them is fitted up for the General Assembly. A throne is erected in it for his majesty's commissioner. The convention of

* The sacred utensils belonging to the church of St Giles, were, by the magistrates of Edinburgh, made lawful prizes at the Reformation. They were as follows: *The arm of St Giles, a relique*, enshrined in silver, weighing five pounds three ounces and a half. A silver chalice or communion cup, weighing twenty three ounces; the great *eucharist* *, with *golden weikc and stones*; two cruets of twenty-five ounces; a golden bell, with a heart of four ounces and a half; a golden unicorn; a golden pix to keep the host; a small golden heart with two pearls; a diamond ring; a silver chalice, patine, and spoon, of thirty-two ounces and a half; a communion table cloth of gold brocade; *St Giles's coat*, with a little piece of read velvet which hung at his feet; a round silver *eucharist*; two silver censers, of three pounds fifteen ounces; a silver ship for incense; a large silver cross, with its base, weighing sixteen pounds thirteen ounces and a half; a triangular silver lamp; two silver candlesticks of seven pounds three ounces; other two candlesticks of eight pounds thirteen ounces; a silver chalice, gilt, of twenty ounces and a half; a silver chalice and cross of seventy-five ounces, besides various priestly robes, and other vestments of gold brocade, crimson velvet embroidered with gold, and green damask. All these were sold; the money was applied, in the first place, to necessary repairs upon the church. The surplus became a part of the funds of the corporation. Council Register, vol. 3. p. 2. 29. 45. 76.

* Communion Cup,

royal boroughs is also held in this apartment. In other parts of this church, the city clerks of Edinburgh, and the kirk-session clerks, have their offices; and one of the rooms is used as the city cartulary of Edinburgh.

In different quarters of this church, there are the monuments of the celebrated Lord Napier of Merchiston, inventor of logarithms, of James Earl of Murray, natural son of King James V. and regent of Scotland, and of the great Marquis of Montrose, all of whom were here interred.

Trinity College Church.

This church was founded by Mary of Gueldres, Queen of James II. in honour of the Holy Trinity, A. D. 1462, who, at the same time, founded and endowed an hospital. The chapter of this collegiate church was appointed to consist of a provost, eight prebendaries, and two choristers all of whom had distinct salaries. In the hospital thirteen poor men were to be maintained. The regulations established by the charter of this foundation, put the virtue and learning of the Popish ecclesiastics in no very respectable view. It is provided by the foundress, 'that no prebendary shall be instituted, unless 'he can read and sing plainly, and understands arithmetic.' 'And that, if any prebendary shall keep a concubine or fire-'maker, and shall not dismiss her after being *thrice admonish-'ed thereto by the Provost*, his prebend shall be adjudged 'vacant.'

The building intended by the foundress has never been completed; only the choir, central tower, and cross of the church, have been erected. On one of the buttresses, the arms of Gueldres, quartered with those of Scotland, are engraved, and, in the north isle of the church, the body of the foundress is interred.

At the Reformation, the regent Murray bestowed this collegiate church and its revenues, on Sir Simon Preston, who generously gave them in benefaction to the town council of Edinburgh. The church was intended by them as a place of worship for the citizens, and the hospital (which was become ruinous) to be rebuilt for the accommodation * of the poor. This church, since the Reformation, has been commonly called the *College Kirk*.

Old Gray Friars Church.

The number of inhabitants of Edinburgh increasing, and the churches being insufficient for their accommodation, the

* See an account of this hospital *infra*, under this article '*Of the charitable foundations in Edinburgh.*'

magistrates, A. D. 1612, ordered a new church to be built, on the ground formerly belonging to the Gray Friars, and bestowed on them by Queen Mary, for a public cemetry. Although two more churches were afterwards erected within the royalty, still they were found insufficient for the purposes of religious worship. It happened on the 7th of May 1718, that part of this church was blown up by gun-powder, belonging to the town, which had been lodged in the steeple. The expence of repairing it was estimated at L. 600, and, instead of building up the church in its ancient form, it was resolved to construct at its west end another church.

New Gray Friars Church.

In the manner already mentioned, this church was built contiguous to the west end of the Old Gray Friars. It was finished A. D. 1721, at the expence of L. 3045 Sterling.

Around these churches is the principal cemetry for the citizens of Edinburgh. When the magistrates, attentive to the interests of the city, applied for this spot, to be converted into a burying ground, it was at a small distance from the town; it is now surrounded by buildings. At that time there were but four churches in Edinburgh; there are now nine within the royalty, besides a large chapel for those of the episcopal communion, and sundry meeting houses for dissenters. It surely will not be alledged, that people resort more frequently to the church now, than in the days of *John Knox*; yet, while the doubled number of the churches is one among many proofs of the vast increase of inhabitants, the burying ground is but little enlarged. Such multitudes have been interred in the Gray Friars church yard, that it is equally humiliating and disgusting, to behold its surface raised so much beyond the level of the adjacent ground, merely by what was once the organs of rational beings, and susceptible of pleasure and pain.

The graves are so crowded upon each other, that the sextons frequently cannot avoid, in opening a ripe grave, encroaching upon one not fit to be touched. The whole presents a scene equally nauseous and unwholesome. How soon this spot will be so surcharged with animal juices and oils, that, becoming one mass of corruption, its noxious steams will burst forth with the fury of a pestilence, we shall not pretend to determine; but, we will venture to say, the effects of this burying ground would, ere now, have been severely felt, were it not, that, besides the coldness of the climate, they have been checked by the acidity of the coal smoak, and the height of the winds, which, in the neighbourhood of Edinburgh, blow with extraordinary violence.

The magistrates lately purchased a large space of ground, which they dispose of to very good account, as areas for building. They may at least then provide for the wholesomeness of the city, by accommodating it with a sufficient burying ground. To enlarge that of the Gray Friars, would be very improper. A spot ought to be purchased entirely without the city. *The Chapel of St Roque*, and its churchyard, which were formerly a cemetery for Edinburgh, are well adapted for this purpose. The spot lies at a convenient distance; and, as it was once a chapel, it will be accommodated to the prejudices of those who incline to have their ashes deposited in consecrated ground.

The Tron Church.

The Old Gray Friars Church being, along with the other churches, still insufficient for the accommodation of the citizens, the town-council purchased two sites, on which they intended to erect religious fabrics. The one was on the Castle Hill, almost the same spot which is presently occupied by the reservoir. The other was the space on which the Tron Church presently stands. Both these buildings were founded about A. D. 1637. Both of them were carried on a considerable length, when the magistrates * perceived, that it would be with difficulty they could defray the expence of one of them. They accordingly pulled down the unfinished church on the Castle Hill, and employed the materials in erecting that at the Tron. The Tron Church, (so called from its vicinity to the *Tron*, or public beam for weighing merchandize) was built partly at the expence of the town, partly by voluntary subscription. The building went † on very slowly. By the year 1647, it was so far completed, that public worship was performed in it; but it was not entirely finished till A. D. 1663. The expence of this fabric was about L.6000 Sterling.

In A. D. 1639, one David Mackall, a merchant in Edinburgh, gave three thousand five hundred ‡ merks to the magistrates of Edinburgh, *in trust*, for purchasing land, the rents whereof were to be ‖ applied to the maintenance of a clergyman of the presbyterian church, who should be appointed to preach every Sunday morning at six o'clock, or such other hour as the magistrates should appoint.

The magistrates of Edinburgh may truly be said to have *hid this talent in a napkin*. They did not appoint a preacher

* Council Register, v. 15. p. 47. v. 16. p. 26. v. 22. p. 29.

† Over the door, in the front of the church, is this inscription; 'Ædem 'hanc Christo et ecclesiæ sacrarunt cives Edinburgeni, Anno Dom. MDCXLI.'

‡ About L.194 Sterling. ‖ Council Register, v. 15. p. 110.

in consequence of it, for a period of *sixty-four* years. As money then bore ten per cent. of interest, although the interest of this sum had been paid but *once in ten years*; yet, if it had otherwise been properly managed, the accumulated sum behoved to have exceeded *sixteen thousand pounds Sterling*. In the year 1703, the magistrates appointed two persons to preach alternately in the morning in this church *, to each of whom they gave a salary of about forty guineas; but of late they have contented themselves with one preacher, to whom they give L.50 a-year. It may here be proper to observe, that the ministers of Edinburgh also preach alternately, in one or other of the churches, every Tuesday and Friday morning, and Wednesday evening.

The magistrates were in use to appoint the morning preacher in the Tron Church, from among clergymen who had no cure. This was charitable and judicious; for the young preachers in Scotland are extremely indigent; and this office being taken from the preacher whenever he was presented to a parsonage, might, in few years, be useful to many poor young men. There is, however, nothing in Mackall's deed of mortification, restricting the magistrates to the appointment of any clergyman or preacher, except that he be of the presbyterian religion. This office is, at present, held by one of the ministers of Edinburgh.

Lady Yester's Church.

As the town-council of Edinburgh had been unable to erect their intended church on the Castle Hill, *Dame Margaret Ker, Lady Yester*, desirous that the citizens of Edinburgh should be sufficiently accommodated in places of public worship, founded this church A. D. 1647. She gave the magistrates the sum of ten thousand merks † for building a church, and five thousand more to be laid out in maintaining a minister; but with power to the magistrates to employ both these sums in building the church, if necessary. Accordingly, both sums being expended in building the church, this pious and charitable Lady made a grant to the magistrates of a thousand merks a-year, payable out of her jointure, till another sum of five thousand merks should be made up, to be applied towards providing a minister. In all the churches of Edinburgh, within the royalty, except this and the New Gray Friars, two ministers officiate. They have a stipend of L.138 each.

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* Council Register, v. 37. p. 686. † L.555 Sterling.

Canongate Church.

It has been already observed, that the Abbey Church of Holyrood-house was anciently the parish church of the Canongate. James VII. either from a desire of having a chapel in which the Popish worship might be celebrated in all its splendour, or simply of decorating a church for the ceremony of installing the Knights of the Thistle, ordered the church of Holyrood-house to be set apart as a chapel-royal, in all time coming. This order was first issued A. D. 1672; but seems not to have taken effect till A. D. 1687; and the inhabitants of the Canongate were desired to accommodate themselves in Lady Yester's * church, till a new one could be built for them.

As the inhabitants of the Canongate were incommoded by the want of a parish church, they acquainted the king, that one Thomas Moodie had bequeathed to the town-council, in A. D. 1649, twenty thousand † merks, in trust, for the building a church, which, with its annual interest, behoved now to be accumulated to a very considerable sum; and they prayed, that his majesty would interpose his authority to compel the town-council to build them a church. Agreeably to the royal mandate, which was issued in consequence of the application made by the inhabitants of the Canongate, the magistrates of Edinburgh bought a piece of ground for a church and churchyard, and began to build a church A. D. 1688. This building is of the figure of the cross. The front of it is decently ornamented, and on its top are the head and horns of a deer, with a cross erect, over the top of the forehead, between the horns, emblematical of the ridiculous legend which is told of King David I. founder of the abbey of Holyrood-house. The expence of this building was about two thousand four hundred pounds Sterling. There are two ministers to this church; the king is patron of the first, the town-council of Edinburgh, and proprietors of houses in the Canongate, of the second.

Church of St Cuthbert's.

This church stands to the north-west of the Castle, entirely without the royalty. The district to which it belongs must be considered as partly a town, partly a country parish. The suburbs of Portsborough, Potterrow, and Pleasance, with the other streets and squares on the south side of the town, com-

* Records of Privy Council, No. 2. p. 649. Manuscript by the Rev. Dr Macfarlane, Minister of the Canongate.

† About L.1100 Sterling.

pose the former. The latter, which at present is very extensive, was anciently much more so. If we set aside that of St Giles's, this is the most populous parish in Scotland. This church is of great antiquity. In the charter of foundation of the monastery of Holyrood-house, there is mention of donations made to the church of St Cuthbert by the usurper Macbeth *. Some years ago, this church becoming ruinous, it was rebuilt at the expence of L.4231. Although this parish is very populous, and the landholders, in general, are men of opulence, they would not bestow as much money as build a handsome church, or complete the spire, which is cut short when it rises to the level of the roof of the church. Thus, both ornament and utility are despised; for, there is not a place to hang the bells for convening this populous and extensive parish. At the same time, the situation of this church is so detached, that a handsome building and spire would be seen to much advantage, and be a great ornament to the neighbourhood. Although we are not to expect that the phlegmatic devotion of a modern protestant should consecrate structures to the Deity, equal in magnificence to a Grecian temple, or popish cathedral; yet it is to be wished, that gentlemen who profess religious principles, and who would be thought lovers of the fine arts, would, consistently with these professions, make some distinction between a church and a barn. Two ministers officiate in this parish. They have manses in its neighbourhood; and the king is patron.

Chapel of Ease.

The number of inhabitants in the parish of St Cuthbert's increasing, it became necessary to erect a place of worship for their accommodation. This one was accordingly raised A. D. 1757, before the buildings in that quarter became extensive, and was called *the Chapel of Ease.* It is dependent upon the landholders and kirk-session of the parish of St Cuthbert's, of which it forms a part. In them is the government of matters respecting this chapel, and the right of electing the minister.

This building was raised by subscription. To induce people to subscribe, it was declared by the landholders and kirk-session, that every one who gave five pounds should have a right to vote in electing the first minister. This church is a plain genteel building. It cost between eleven and twelve hundred pounds. It is accommodated with a belfry, although that of St Cuthbert's has got none. The minister's stipend is paid out of the seat-rents; therefore, as the demands for seats, as well as the collection at the church door for the poor, will be greater, if the minister be agreeable, it has been hitherto

* Macbeth usurped the throne A. D. 1052.

thought proper to give the election of the minister to the seat-holders.

The neighbourhood of this chapel has, since its erection, been used as a cemetery. But, so strong is the prejudice in favour of *holy ground*, that, previous to its being used as a place of interment, a bishop of the Scottish Episcopal communion was prevailed upon, with all due solemnity, to *consecrate the ground.* This office of consecration (it seems), either being inconsistent with the principles of a presbyterian clergyman, or that he is not deemed sufficiently sanctified for the function.

Lady Glenorchy's Chapel.

In this chapel, also, worship is performed according to the manner of the presbyterians. Whether, before *Lady Glenorchy* founded this institution, there were churches sufficient for accommodating the inhabitants, we shall not pretend to determine. Such, indeed, is the demand for seats, and so little are they occupied when obtained, that we are tempted to conclude the genteeler part of the congregations in Edinburgh deem the essential duties of religion to be concentrated in holding and paying rent for so many feet square in the inside of a church.

In A. D. 1772, Lady Glenorchy feued a piece of ground from the managers of the Orphan Hospital, for which she was to pay fifteen pounds a year; and upon this area she built a chapel. Far from treading in the laudable path already chalked out by Lady Yester, Lady Glenorchy reserved the patronage, and entire management, of this institution to herself, and certain select persons appointed by her. She, at the same time, struggled both to have the minister, presented by her, entitled to the benefit of communion with the established church, and to be favoured with its countenance; and also, that he should not be liable to the regulations, nor subject to the judicatories of the church.

Her Ladyship, on the 8th of February 1773, executed a missive, which wore the appearance of granting *something* to the Orphan Hospital, but, in fact, granted *nothing at all.* It must be premised, that, as the offerings made at the church doors in Edinburgh are applied to the support of the Charity Work House, and sometimes to that of the Orphan Hospital, any place of worship, where the offerings are applied to other purposes, is detrimental to these charitable institutions. Now, her ladyship, by that missive, declared, that the managers of the Orphan Hospital should have liberty, (upon asking it in proper time) to have *occasional preaching in her chapel, when it was not otherwise employed*, and to apply the collections made

upon these occasions in behalf of the Hospital. It may be asked, 'Is there any thing to hinder Lady Glenorchy, (upon 'application made,) to give to any man, or set of men, the 'liberty of *occasional preaching* in her chapel, and of applying, 'as they please, the collections made upon these occasions?' However, she concluded this missive with this proposal, that the minister of the chapel should be directed by her to take inspection of the children and servants in the Hospital *, if agreeable to the managers.

The church being finished, Lady Glenorchy sent a letter to the Presbytery of Edinburgh, asking their assistance, by naming some of their number, or probationers, to preach in the chapel occasionally, till a minister should be settled. The presbytery complied with her request. The chapel was opened by two of the ministers of Edinburgh in May 1774; and different ministers and probationers preached there from time to time. In December 1775, Lady Glenorchy informed the presbytery of her intention to place, in this chapel, one Grove, a preacher to a dissenting congregation in England. To this the presbytery gave a civil answer, importing, that, although they approved of her piety, they could not give countenance to the appointment of a minister who was no member of the clerical order of the Church of Scotland. The intended presentee, foreseeing the disagreeableness of his situation, declined the charge. Upon this, Lady Glenorchy wrote to the presbytery, that she intended to present the Reverend Mr Balfour, minister at Lecropt; but that he, out of his respect for the established church, and resolution to hold communion with it, would take no step towards being loosed from his present pastoral charge, till he was assured that the Presbytery of Edinburgh would install him in his chapel.

To this letter, the Presbytery answered, that they heartily approved of her choice; but that they could not consent to install him unless there were a regular call from the congregation, a legal security for the minister's stipend, and that the offerings at the chapel were put under the administration of the Managers of the Charity Work House. The lady, however, far from complying with these articles, wrote to them, 'That the chapel was her private property, and *had never been* 'intended to be put on the footing of the establishment, nor 'connected with it, as a chapel of ease to the city of Edinburgh: 'That, having built the chapel at her own expence, she was 'entitled to name the minister: That she wished to convince 'the Presbytery of her inclination, that her minister, *though*

* It is to be observed, that the Orphan Hospital is a body corporate, constituted by royal charter, of which most of the great officers of state in Scotland, and the preseses of almost every society of any note in Edinburgh, are managers.

'*not on the establishment, should hold communion with its minis-*
'*ters:* That, with respect to the offerings, every body knew
'that she had appointed trustees for the management of them;
'*and that those who were not pleased with this mode of admini-*
'*stration might dispose of their alms elsewhere.* Adding, that
'she had once and again sent part of these offerings to the
'Treasurer of the Charity Work House.'

Notwithstanding their former resolutions, as, by the mode of settling ministers in Edinburgh, already spoken of, the fanatic interest preponderates in that Presbytery, a majority of that ecclesiastical court voted Lady Glenorchy's reply satisfactory, agreed to install the minister, and that he should be at liberty to hold communion with the established clergy. Thus did the Presbytery give every mark of countenance, and almost every benefit arising from the established church, while this institution was not subject to their jurisdiction; while they dispensed with the *moderation of the call*, a form about which they stickle zealously, if by it they could get a minister, presented by the legal patron to be rejected; while they did not insist upon the stipend being properly secured; while they agreed to permit Lady Glenorchy to dispose, without controul, upon those pious offerings, which should have been applied towards the support of the Charity Work House; while they, in fact, elided that right of patronage over all churches in this city holding communion with the established ministers, which is vested in the magistrates of Edinburgh; and, while they had no power to depose, from the benefice, in this chapel, the minister installed by them, in case of his errors in life or doctrine.

Several members of the Presbytery appealed against a decision which they deemed so improper. Mr Balfour, the presentee, a worthy member of the established church, to avoid the disagreeable contest, declined the charge. The appellants, however, impressed with the pernicious tendency of this judgement, brought their appeal before the Synod, by whom the judgement was totally reversed. Against this sentence of the synod *, the Presbytery appealed to the General Assembly, who waved the consideration of the first part of the judgement of the Synod, disapproving of the installment of a minister in this chapel by a member of the Presbytery, but reversing that part of the sentence which prohibited religious communion between the ministers of the established church, and the Presentee to Lady Glenorchy's Chapel. The absurdity and inconsistence of this decision were rendered more conspicuous by a sentence of the General Assembly, pronounced just two days thereafter, who, in the case of Dunfermline, upon an applica-

* Register of General Assembly, 27th, 28th, and 30th May 1777.

tion similar to that of Lady Glenorchy, but with circumstances infinitely more favourable for the inhabitants of Dunfermline, *affirmed* the judgment of the Synod of Fife, which was precisely the same with that of the Synod of Lothian, which they had *reversed*.

The Earse Church.

Great numbers resort from the Highlands to get employment in Edinburgh in the lower occupations in life. The chairmen, porters, soldiers of the city-guard, and many of the household servants in Edinburgh, are from that country. Some of them neither understand nor express themselves intelligibly in English. For the benefit of these people, it was proposed, about ten years ago, to found a chapel, where the Presbyterian religion should be performed in the Earse language. This chapel was accordingly begun A. D. 1767, and completed 1769. William Dickson, Dyer in Edinburgh, purchased the ground, and disposed it to the Society for Propagating Christian Knowledge, to be held by them for the special purpose of celebrating worship in the Earse language. It was built by subscription, and by collections raised by itinerant preachers. The Writers to the Signet gave a subscription of L.100; there was no other donation of any note. About two years ago, the chapel was found not large enough to accommodate the congregation. An addition was made to it. The building, so enlarged, can admit upwards of a thousand hearers. The expence of it was in all about L.700. The minister of this chapel is elected by the seat-holders. Out of the seat rents he is provided in a salary of seventy pounds a year. He is allowed to hold communion with the ministers of Edinburgh.

The English Chapel.

In the year 1689, Episcopacy, which was then the established religion, was abolished. Although, from that period, episcopal clergymen had no legal provision, or settlement, they were tolerated to preach in meeting houses till A. D. 1746. But, as they derived no emolument from government, no provision from the state, they did not perplex their consciences with voluminous and unnecessary oaths. It has been already observed, that people of all ranks frequented these places of worship, which were so little obnoxious, that the magistrates of some of the northern boroughs attended them, distinguished by their ensigns of office. Nonjuring meeting houses, however, being prohibited under very rigorous penalties, it became necessary to all who wished to show their attachment to government, or to preserve their personal liberty and safety, to con-

form to the standard rules prescribed by act 19. George II. chap. 38.

An Episcopal Chapel, whose minister was duly qualified by taking the oaths to government, had already been founded in Edinburgh by the Lord Chief Baron Smith. But, as it was not sufficient to accommodate those of that communion, two new ones were founded about the year 1746; one in Skinner's, another in Carruber's Close. In both these chapels, the officiating clergymen complied with the dictates of the statute.

As these places of worship were but mean, inconvenient apartments, too small for their congregations, a plan was formed, about eight years ago, for erecting a handsome building, sufficient to accommodate not only the hearers in these two chapels, but those of the foundation instituted by Baron Smith, for whose benefit, also, this chapel was designed. The gentlemen of the Episcopal persuasion chose from among their number a committee of twelve, for carrying their purpose into execution. To this effect, the committee purchased an area from the Royal College of Physicians, and opened a subscription, which was the only resource they had for compleating the building, the trifling funds belonging to the former chapels bearing no proportion to the amount of so expensive a work. It could hardly be expected that the contributions would keep pace with the demands for money, to defray the expence of the work. But this impediment was removed by the committee, who, for that purpose, generously engaged their personal credit to a considerable amount. This building was begun on the 3d of April 1771. General Sir Adolphus Oughton, then Grand Master of the fraternity of Free Masons, laying the foundation * stone. The committee carried it on with such zeal and activity, that the chapel was opened for public worship on the 9th of October 1774.

This is a plain handsome building, neatly fitted up in the inside, somewhat in the form of the church of St Martin's in the fields, London. It is ninety feet long, by seventy-five broad, over walls, and is ornamented with a neat spire of a tolerable height. In the spire hangs an excellent bell, formerly belonging to the chapel royal of Holyrood-house, which is permitted to be rung for assembling the congregation, an indulgence that is not allowed to the Presbyterians in England. This displays a commendable liberality of sentiment in the magistrates of Edinburgh; but breathes no jealousy for the dignity of their national church. In the chapel there is a fine organ, made by Snetzler of London. In the east side of the

* The following is the inscription on the foundation stone. 'Edificii 'sacr. ecclesiæ episc. Angliæ, primum posuit lapidem, J. Adolphus Oughton, 'in architectonicæ Scotiæ repub. Curio maximus, militum præfectus; reg-'nante Georgio III. Tertio Apr. die A. D. M,DCC,LXXI.

chapel is a nitch of thirty feet, with a Venetian window, where stands the altar, which is adorned with paintings, by Runciman, a native of Edinburgh. In the volta is the ascension *; over the small window, on the right, is Christ talking † with the Samaritan woman; on the left the prodigal returned ‡. In these two, the figures are half length. On one side of the table is the figure of Moses, on the other, that of Elias. To complete this chapel, however, two porticos are still wanted. That on the south (which is the front of the church) is meant to consist of lofty Corinthian pillars, supporting a pediment. But this building has been very expensive. Besides L.800 paid for the area, it has already cost near L.6000, and the expence of the porticos is estimated at L.1000 more. As the funds collected are exhausted, and the founders in advance, these must be delayed till the chapel is assisted by future donations. It is to be regretted, that a structure, which, when completed, will really be handsome, has not been raised upon an advantageous situation. The ground is low; the chapel is concealed by adjacent buildings; the access, especially for carriages, inconvenient; and there is this singularity attending it, that it is the only Christian church standing south and north we ever saw or heard of. Had it been built in the extended royalty, it would have been seen to advantage, and been an ornament to the neighbourhood.

Three clergymen officiate in this chapel, a senior and two junior. The present senior clergyman is Doctor Myles Cooper, principal of the college of New York, from which he has been exiled by the present disturbances in America. The senior has a stipend of L.150 a-year; the juniors have L.100 each. The revenue of the chapel arises solely from the seat rents, and the surplus of the collections at the door, after what is laid out in support of the indigent members of the congregation, and what is bestowed in the annual collection made for the Charity Work-house, and Royal Infirmary.

When the three congregations, viz. those of the chapels of Baron Smith, of Carruber's, and of Skinner's Close united, each of them chose four gentlemen to compose a vestry of twelve, for managing the affairs of the chapel, giving them power to fill up vacancies in their number. In these gentlemen, the right of appointing the clergymen is vested.

There are about a thousand persons in this congregation. Divine service is celebrated before them, according to all the rites of the Church of England. This deserves to be considered as a mark of increasing moderation and liberality among the generality of the people. Not many years ago, that form of worship, in all its ceremonies, would not have been tolera-

* St Luke, chap. xxiv. ver. 51, 52. † St John, chap. iv. ver. 12.
‡ St Luke, chap. xv. ver. 21.

ted. The organ and the paintings would have been downright idolatry, and the chapel would have fallen a sacrifice to the fury of the mob. These can now behold, without emotion, even the funeral service performed publicly. Upon the death of Mr Carr, the first senior clergyman in this chapel, he was interred under its portico, the funeral service was sung, and the voices were accompanied by the organ. The opinions of mankind would naturally subside into a state of moderation, that could behold, without antipathy, the diversities of creeds and religions, if they were not inflamed by the fanatic part of the clergy; the spirit of persecution and bigotry, which, clothed in pretensions to sanctity, has, in its progress, indulged itself in the most atrocious cruelties, would cease; universal toleration of religious opinions would ensue.

Baron Smith's Chapel.

A place of worship for those of the Episcopal communion had been founded by John Smith, Esq. Lord Chief Baron of Exchequer, A. D. 1722. In order to its endowment, he vested a sum in the public funds, for the purpose of yielding L.40 yearly to the minister of that chapel; and he left the management in seven trustees nominated by himself, with powers to them to fill up vacancies in their number. When the English Chapel, already spoken of, was founded, it was intended that this congregation should unite with others of the Episcopal persuasion, in the New Chapel; but the incumbent in Baron Smith's Chapel, differing with his hearers about the mode of his settlement in the New Chapel, chose to withdraw himself again to that in which he was already established.

Besides these, the Episcopal religion is performed in some other chapels, where elderly persons, nonjuring Episcopal clergymen, officiate. After his present majesty's accession to the throne, certain officious people lodged informations against some of those clergymen; but the officers of state, imitating the liberality and clemency of their gracious master, discountenanced such idle and invidious endeavours to oppression. There are also, in Edinburgh, various meeting houses, where congregations of Seceders, Methodists, and other sectaries from the lowest classes of the people, assemble. So much is the fury abated, or rather the frenzy which took place at the Reformation, *that a Popish chapel is presently building* in Edinburgh.* Let

* Since writing the above, we have observed, with sincere pleasure, that the liberal ideas which are gaining ground in the kingdom, have been adopted by parliament; that the English penal statutes, against papists, have been repealed. We apprehend there must be some reason unknown to us, why this act was not extended to Scotland; why the penalties, which, in Scot-

us not be understood to hang out the signal for persecution; nor to conceive so harshly of the public, as that prosecution against its founders could be tolerated. We mention this circumstance from very different motives; we mention it as a curious feature in the human mind—as a singular revolution in this country—as a great instance of liberality and humanity, that the nation, which, two centuries ago, in the barbarity of her zeal, pulled in pieces those magnificent fabrics destined for the celebration of the religion by law established, should

land, are severer; why those laws, which breathe a spirit of the most diabolical rancour, are not abrogated. Upon the news arriving of this bill being brought into parliament, the fanatic party, among the presbyterian clergy, did ample justice to that uniformity of character and conduct, which historical truth has obliged us to describe. The General Assembly happened to be sitting, the fanatic party were full of their alarms and apprehensions. It was at first proposed to address his majesty against the bill passing into a law; and afterwards, when, upon the debate being resumed, the Lord Advocate told them, *that the bill did not extend to Scotland*, they were not satisfied, but moved that a standing committee should be appointed, to watch against any extension of the bill. Happily for the country, the interest of the fanatic party in the General Assembly is sinking. The questingly accordingly was lost; but, as this sour leven is still fermenting in some parts of the country, certain presbyteries published a solemn vote of thanks, to such members of assembly as had been loudest against the bill, and instilled into the rabble the most frightful notions of this proceeding of parliament.

The insolence and extravagance of a set of fanatics, of a class of people, who, when they possessed power and consideration, never failed to involve the nation in tumult, obliges us again to resume the pen. The clergy, and the lower class of the people in Glasgow, and in the western shires, from the days of Charles I. till the present hour, have breathed a spirit of fanaticism, which has burst forth in reiterated rebellions. The Synod of Glasgow and Ayr have had the audacity to appoint a solemn fast, to be held within their bounds, on account of the encouragement given to popery, in evident contempt of an unanimous resolution of Parliament; have voted an address to the different houses of Parliament, against any mitigation of the penal laws against papists; and have instructed their clergy to preach upon the controversial points between papists and protestants. Mark the consequence that has already flowed from this pious resolution! On the very next Sunday after it was embraced, (18th October, 1778), the rabble beset a house in Glasgow, where a popish congregation was assembled, beat all the windows in pieces, and continued besieging the house till eight at night, when they dispersed themselves, whereby the congregation was allowed to retire. Every one who is versant in the principles of human nature, or history of mankind, must know what notable materials the rabble are, in the hands of the clergy, and what prodigious effects have flowed from their mutual operations. The trifling ebullition of resentment manifested against this chapel at Glasgow, and the resolutions embraced by their clergy in a free nation and enlightened age, bespeak that class of people inspired with equal rancour, and with more reprehensible ignorance than the darkest ages of popery, and calls aloud for the attention of the legislature, to repress this spirit of fanaticism. Besides the high flying part of the established clergy, the seceders are, to a man, a set of fanatics. Although they embrace the same confession of faith, and observe the same forms of worship with the established church, they have separated from it on account of presentations, and that they may enjoy the delightful rhapsodies of their preachers. The sectaries of different persuasions, of late, have greatly increased. It is believed, that the number of their meeting houses in Scotland, is at least three hundred. It is, perhaps, worthy the attention of government, how far a tax on these meeting houses would be proper, and whether it might prevent the growth of fanaticism!!

now permit a building to be raised for the purposes of the same religion, although discouraged by the most sanguinary laws. With the improvement of mankind, even Rome herself must drop her persecuting spirit, or be forsaken by her votaries.

CHAPTER IV.

OF THE PUBLIC BUILDINGS IN EDINBURGH.

OF the Public Buildings in Edinburgh—Of Edinburgh Castle—Of the Parliament House—The Advocates' Library—The Tolbooth—The Canongate Tolbooth—The Cross of Edinburgh—The Town-guard House—The Weigh House—The Palace of Holyrood-house—The Royal Exchange—The Bridge and extended Royalty—The Register Office—Physicians' Library—The Suburbs of Edinburgh—David Hume's Tomb.

IN this part of our history, we mean to describe those public buildings which are not connected with the seminaries of learning, with charitable foundations, nor public diversions.

Of Edinburgh Castle.

Edinburgh Castle consists of an area of about six English acres. Its situation is naturally so strong, that if the fact did not contradict our speculation, we should have conjectured it, before the intention of artillery, to have been impregnable. It is situated on a precipitate, and in some parts perpendicular rock, about three hundred feet high from its base, and, except on its east side, is inaccessible.

At the entrance to the castle is the outer barrier; beyond which is a dry ditch, draw bridge, and gate, defended by two flanking batteries; the whole commanded by a half moon, mounted with brass guns of twelve pounders. Opposite, and near to the gate, is a guard room for the sentinels of the standing guard of the castle. A little farther on, winding upwards to the right, are two gate ways, the first of which is

very strong, and has two portcullices. Immediately beyond the inner gate-way, upon the right, is a battery mounted with brass guns of eighteen and twelve pounders. Nigh this are store houses for the reception of gun carriages, and other implements of artillery. Next to these, on the north, are a grand store room and an arsenal, which will contain eight thousand * stand of arms; next the powder magazine, which is bomb proof, south from the magazine, are the fort-major's, governor's, and store-master's houses; and beyond these, a mortar, and some gun batteries.

The upper part of the castle, which is entered by a gate to the eastward, contains several half-moon batteries, a chapel for the use of the garrison, a parade for exercise, and a number of houses in the form of a square, with a court in the centre, which are the chief buildings in the castle. These are laid out in barracks for the officers. The different barracks in the garrison can accommodate a thousand men. The east side of the square was anciently royal apartments. From the dates on the walls, some of these appear to have been rebuilt in A. D. 1556, others in A. D. 1616. In those turbulent times, Queen Mary did not hold it safe to reside in an unfortified place, when her pregnancy was far advanced; she, therefore, took up her residence in the castle, and, in a small room, on the ground floor, in the south-east corner of this edifice, she was, on the 19th of June 1566, delivered of a prince, in whose person the crowns of both kingdoms were afterwards united. In this quarter of the castle state prisoners are kept, and in one apartment, called the *crown room*, it is pretended that the regalia of Scotland are deposited: that they were lodged there with much formality, on the 26th of March 1707, is certain. Whether they be there still, is very problematical. If they be, nothing, at least, can be more absurd than the way in which they have been kept. The way to preserve an object of great value, is not to lock it up for ever from the eyes of the public; quite the reverse. It is by producing it at stated times, before certain officers, as representing the public. Now, since the regalia were deposited, no governor of the castle, upon his admission, has made enquiry if they were left secure by his predecessor. No mortal has been known to have seen them. Whether it was, that the government entertained a jealousy, that the Scots, in their fickleness or disgust, would repent themselves of the union; or, that they dreaded the regalia might, upon an invasion, fall into the hands of the heir of the house of Stuart; it appears probable, that the regalia have been privately removed, by a secret order from the court; for it is impossible that any governor of the castle would ab-

* There are other apartments in the castle for the reception of arms; so that it can accommodate thirty thousand stand of arms.

stract them without authority. If, after this general surmise, so publicly thrown out, the officers of state, and governor of Edinburgh castle, will not make personal enquiry, whether the regalia of Scotland be still in the castle, the public will be entitled to conclude, *that they are no longer there*, and that they have been carried off by private orders from the court.

Besides the governor, fort-major, gunner, store-master, chaplain, &c. &c. there are always in this garrison a company of invalids, and four or five hundred men, belonging to some marching regiment; but, within these few months, there were about a 1000 men in it.

Notwithstanding the natural strength of the castle, it is not able to withstand a siege properly conducted. None of the fortifications are of the modern kind, and no part of the castle, except the powder magazine, is bomb proof. The water, which is very bad, is served in scanty supply by a draw-well, upwards of an hundred feet deep; and, in the event of a siege, the concussion of the rock, by the continued discharge of artillery, makes the water subside. This garrison has been frequently battered from Heriot's Hospital, from Bearford's Parks, and even from the Pleasance; but such are the height and the distance, that the castle could not be attacked with effect from either of these quarters; nor does it appear, indeed, that a battery of cannon, from any quarter, but the street called the Castle Hill, could make much impression upon it. The garrison, however, could not withstand, for many hours, a well directed bombardment, no part but the powder magazine being bomb proof, and the area of the castle being almost entirely rock, whose splinters would double the destruction of an enemy's bomb shells.

Of the Parliament House.

Of old, when the powers of the crown were not defined, nor public justice respected, the city of Edinburgh suffered manifold oppression from the sovereign. Among many instances of it, the city was, by the royal mandate, ordered to build, at her own expence, courts for the meeting of parliament, and the supreme judicatories of the nation. The parliament formerly met in the present Tolbooth, which was built by the citizens at the command of Queen Mary, A. D. 1561. In the progress of refinement in manners, the grossness was discovered, of having the same apartments allotted for the high court of parliament, for the supreme courts of justice, and for the confinement of debtors and malefactors; and the city found herself under a necesssity of raising a new building for the accommodation of the parliament.

The present Parliament House was begun A. D. 1631, and

completed A. D. 1640, at the expence of eleven thousand six hundred pounds Sterling.

The Parliament House is built in the shape of the letter L. It is an hundred and thirty-three feet long, by ninety-eight broad, in the widest end, and sixty in the narrowest; and, from the singularity of the area on which it is reared, although the building be sixty feet high, yet, upon the north and east sides, which are the main fronts, it is but about forty feet above ground. The great hall is a hundred and twenty-two feet long, by forty-nine broad. The north end of this apartment is occupied by booksellers' stalls; a slight timber partition, which runs half way up the wall, divides this from the apartment which was destined for the Scottish Parliament. It must be observed, that the Parliament of Scotland consisted but of *one house*, composed of *the three estates*, anciently of the Lords Spiritual, the Lords Temporal and Barons, and Commissioners from the boroughs; but, after the Revolution, of the Lords Temporal, the Barons or knights of the shire, and the boroughs, who sat and voted together. On the south end of the room is an high throne, erected for the Sovereign, now the Lord Ordinary's * bench. Round the room are wooden seats, where the bishops and the nobility sat, now occupied by those who have business before the court. In the midst of the floor, there were forms for the representatives of the counties and boroughs. On the outside of a wooden partition is a pulpit, where sermons used to be preached to the Parliament, and behind that, a small gallery, where those who were not members might hear the debates of the house. These now serve no other purpose but to accommodate the band of music which performs on his majesty's birth-day, when the Lord Provost of Edinburgh is entertaining the nobility and gentry with wine and sweet meats. In the east wall of this room is a marble statue by Roubiliac, of the Lord President Forbes in his robes, erected by the † Faculty of Advocates.

Off this apartment is the Court of Session, with its lobby and robing room for the judges. The court room is nearly square, well lighted, and besides the seats for the judges, is accommodated with benches for the advocates and writers to the signet, and galleries for spectators. This court, in the size of the room, and dress of the judges, makes a better appearance than the courts of Westminster Hall. Above this room are

* One of the Judges of the Court of Session sits alternately in this room, which is called the *Outer House*, for deciding of causes in the first instance. He is called the *Lord Ordinary*.

† Beneath the statue is the following inscription. 'Duncano Forbes de 'Culloden, supremae in civilibus curiae Praesidi, judici integerrimo, civi optimo, priscae virtutis viro, facultas juridica libens posuit, anno post obitum 'quinto C. N. M,DCC,LII.

the Court of Exchequer, and other apartments for the barons, and other officers of that court, who, besides, have further accommodations in apartments in an adjacent building, called the *Treasury Chambers*; because, formerly, the Lords of the Treasury used to meet in them, and also, the Lords of the Privy Council.

The undermost floor of the Parliament-house is, upon the north and east sides, entirely under ground. It is laid out in six apartments, not very well suited to the purposes to which they are presently applied. In two of them, the public records of the nation are kept. The other four are generously bestowed by the town council of Edinburgh on the Faculty of Advocates, for accommodating their magnificent library.

Of the Advocates' Library.

This is a very valuable collection, and is managed upon principles, and with an attention which render it as useful as it is valuable. The celebrated Sir George Mackenzie, Lord Advocate of Scotland, had the merit of projecting this institution, and of founding it A.D. 1682. For some time after its institution, no regular fund was appropriated to the use of the library; and it derived its support chiefly from donations made to it. The catalogue of noble, and even royal donors, evince how much it has been thought to deserve encouragement. As every advocate, at his admission, pays a certain sum to the Faculty, part of this was allotted to supply the library; and, as the admission money has been raised, the quota for the library has been increased proportionally. The statue of Queen Anne, which, for the encouragement of learning, vests in authors a literary property, or monopoly over their works, also aids this collection: For by this it is provided, that, to entitle the author to that monopoly, a copy of every book entered in Stationers' Hall must be sent to the Advocates' Library, as well as to the Universities of the united kingdoms.

This collection amounts to upwards of thirty thousand volumes, in all sciences, and in many languages. Of these, a catalogue, in two volumes folio, of about six hundred pages each, has been made out. The first was published in A.D. 1742. by the learned Ruddiman, who is the best antiquarian Scotland has produced, and by Mr Walter Goodall, keepers of this library. The second, consisting of its late acquisitions, was compiled, A. D. 1776, by Mr Alexander Brown, the present Librarian, whose accuracy and obliging dispositions renders his management of this library extremely acceptable to the proprietors. Both volumes are made out upon the

plan of the *Bibliotheca Card. Imperialis.* It may not oe amiss here to observe, that DAVID HUME was some time keeper of this library.

The books are lent out to the members of faculty in such a manner that the institution is more useful than that of any library we know.

Besides printed books, the Faculty are in possession of a valuable collection of manuscripts, consisting of the registers of many of the Scottish monasteries, of illuminated missals, and of many volumes of original papers relating to the affairs of Scotland, as well as copies of others which have been preserved by Sir Robert Cotton, or are extant in the public offices in England. The faculty are also possessed of a collection of prints, which has, of late, been enriched by donations from some of the most celebrated engravers. It must, however, be confessed, that due attention has not been paid towards supplying the library with productions in this elegant branch of the fine arts.

Among other curiosities, the faculty are possessed of an entire mummy, preserved in its original chest. This was purchased by the late Earl of Morton, Lord Register of Scotland, at the expence of L.300, and was by him presented to the faculty.

In A.D. 1705, the faculty purchased, and are still (as we have been told) in possession of a collection of coins and medals, to the number of between three and four thousand. These are partly Greek, Roman, Saxon, Scottish, and English. They are not in the custody of the librarian. For years, they have been as utterly lost to the whole world, as if they had been buried in the deep. Not only are visitors with-held from inspecting them, but even the members of faculty cannot get access to them. Instances have been repeatedly made in the faculty, for rectifying such absurd management; but they have been always shifted with a fair answer and a smile, by those who assume to themselves the controul of the whole affairs of this society.

The Parliament House forms part of the south and west side of the square, which goes by that name; the west side of which is compleated by the Goldsmith's Hall. The north side is formed by the Cathedral Church of St Giles, disfigured by low booths, built adjoining to the walls of the church, possessed by jewellers. The east side, and part of the south, are occupied by houses of a vast height, being in their front six stories high; but by reason of the inequality of the ground, on the back or south side, eleven stories, besides garrets. In this square there is a fine equestrian statue in metal, of Charles II. The figure is in the Roman dress, holding in the right

hand a truncheon. The execution of the whole is admirable. From the inaccuracy of the town council register at that period, it does not appear by whom, or at whose expence this statue was made. The city, however, raised a pedestal for it, on * which the statue was erected, A. D. 1661; but upon the pedestal there is no inscription.

Of the Tolbooth.

We have already observed, that the Tolbooth was built by the citizens, A. D. 1561, and destined for the accommodation of the parliament and courts of justice, and for the confinement of debtors and malefactors. Such, however, is the change of manners, that now it is unfit for any of these purposes Since A. D. 1640, this building has been used solely for a jail. The ground floor, indeed, which does not communicate with the rest of the building, is let out in Shops. The three stories above are places of restraint, destined for the wretched. The abridgement of personal liberty hath ever been held one of the most odious restrictions upon the rights of mankind; so, although disorders, inseparable from society, render it necessary to impose occasionally this odious restraint; although, for the most part, it is not used for the punishment of delinquents, but for preventing their escape from justice; yet such has been the inattention or inhumanity of legislators, and still more of those who are intrusted with the execution of the laws, that this preliminary to trial is the severest of punishments.

We do not think it possible, that a nation can attain to improvement in science, to refinement of taste, and in manners, without, at the same time, acquiring a refinement in their ideas of justice, and feelings of humanity. The codes of the criminal laws of most nations (our own in no ways excepted) are exceedingly barbarous. This is owing to their having been compiled when the respective nations were sunk in barbarity, were subjected to an absolute government, or were blinded with religious bigotry. But, although scarce any attention has been paid to the state of criminal jurisprudence, by revising the penal statutes; yet, with the increasing mildness of manners, the officers † of the law have declined to raise prosecutions for inflicting those rigorous punishments.

* Council Register, 7th January 1685.

† Trials by presentment or indictment by a grand jury, for capital offences are not known in Scotland. The Lord Advocate may, of himself, form an indictment against any person, for any crime he chuses to pitch upon: the person so accused must be put upon trial; nor does it appear, that, supposing

The next step in the progress of humanity, is to abolish the frequency and tediousness of imprisonment, for trifling causes, still permitted by the law. It appears very inhumane, that a person should suffer close imprisonment for many months, for no other cause than that he is owing a few pounds to a rigorous creditor; while, at the same time, the creditor can, by law, not only imprison the person of this debtor, but can attach all his effects, real and personal, for the payment of his debt. It has been provided, by the humanity of the law, that, after a person has lain thirty days in prison, he may, upon surrendering his whole effects, raise an action, by which he will be entitled to be liberated from jail; yet it frequently happens, (we know not how), that poor people will be detained in prison many months * for the most trifling sums. This tediousness of confinement is the more severe; because, in Scotland, a man's house is no protection to him; but, when a writ is issued against any one for debt, his house may be broke open at any hour of the night or day; because the Scottish prisons are not (like those of the King's Bench, Newgate, Lancaster Castle, &c.) accommodated with an area, where the prisoners may enjoy the fresh air; but it seems the inhumane spirit of her laws breathes, that the more loathsome the prison, the fitter † for a debtor; and because a messenger or creditor is at liberty to indulge his ‡ caprice, in chusing out for his debtor, a prison the most loathsome and inconvenient.

The liberality and humanity of the English, in erecting so magnificent a building for a jail as Newgate, deserve the highest applause. The resolution, the humanity, and the attention of its present keeper, Mr Akerman, fulfilling the intentions of the legislature, are worthy of no less commendation. The state of Edinburgh Tolbooth is far otherwise. There the austerity of the law, and the rigour of an unfeeling creditor, may be gratified in their utmost extent. In the heart of a great city, it is not accommodated with ventilators, with water pipe, with privy. The filth collected in the jail is thrown into a hole

the prisoner to be acquitted by the jury, and that the accusation was calumnious, or even malicious, he could have an action of damages, or even for his expences. This is a dangerous power to be intrusted to an individual. However, no instances have occurred, for a long period, of this trust being abused from any selfish, and very few from political motives.

* Upon examining the reports made by the clerk of Edinburgh tolbooth to the magistrates, we found a person, then lying in jail, had been confined for five months. The debt booked against him was but L.3. Such confinements (we found) were not uncommon.

† 'After a debtor is imprisoned, he ought not to be indulged with the benefit of the free air, either on his parole, or even under a guard; for every creditor has an interest that their debtor be kept under close confinement, that, by the *squalor carceris*, he may be brought to the payment of his just debt.' *Erskine's Institutes of the law of Scotland. p.* 639.

‡ Stair's Inst. p. 748.

within the house, at the foot of a stair, which, it is pretended, communicates with a drain; but, if so, it is so completely choked as to serve no other purpose but that of filling the jail with disagreeable stench. This is the more inexcusable, since, by making a drain to the north, over a very narrow street, such a declivity might be reached, that, with the help of water, of which there is command, the sewer might be kept perfectly clean. When we visited the jail, there were confined in it about twenty-nine prisoners, partly debtors, partly delinquents; four or five were women, and there were five boys. Some of these had what is called *the freedom of the prison*, that is, not being confined to a single apartment. As these people had the liberty of going up and down stairs, they kept their rooms tolerably clean swept. They had beds belonging to themselves; and, in one room, we observed a pot on the fire. But, wherever we found the prisoners confined to one apartment, whether on account of their delinquencies, or that they were unable to pay for a little freedom, the rooms were destitute of all accommodation, and very nasty. All parts of the jail were kept in a slovenly condition; but the eastern quarter of it, (although we had fortified ourselves against the stench), was intolerable. This consisted of three apartments, each above the other. In what length of time these rooms, and the stairs leading to them, could have collected the quantity of filth which we saw in them, we cannot determine. The undermost of these apartments was empty. In the second, which is called the *iron room*, which is destined for those who have received sentence of death, there were three boys; one of them might have been about fourteen, the others about twelve years of age. They had been confined about three weeks for thievish practices. In the corner of the room, we saw shoved together, a quantity of dust, rags, and straw, the refuse of a long succession of criminals. The straw had been originally put in the room for them to lie upon, but had been suffered to remain, till, worn by successive convicts, it was chopped into bits of two inches long. From this, we went to the apartment above, where were two miserable boys, not twelve years of age. But there we had no leisure for observation; for, no sooner was the door opened, than such an insufferable stench assailed us, from the stagnant and putrid air of the room, as, notwithstanding our precautions, utterly to overpower us.

Nothing but the habit of seeing prisoners in a wretched situation, influences the mind to behold such scenes unmoved. Nothing can be more inhuman than such treatment of prisoners. Does any gentleman use his horses or his dogs so? Would he not turn off the groom who was guilty of such neglect?

Want of humanity is not the characteristic of the age in

general, nor of the city of Edinburgh in particular. The institutions of the Charity Work House for reception of the poor, and of the Royal Infirmary for the relief of the diseased, are monuments of the contrary *. Why, then, shall the distress of prisoners alone, from whose situation calamity is inseparable, remain unalleviated? But orders without end, may be pronounced with no manner of effect, if all is trusted to the jailor, if the magistrates of royal boroughs will not give themselves the trouble to inspect the prisons within their jurisdiction. To remedy the shameful defects in Edinburgh jail, already pointed out, if the Lord Provost and magistrates would inspect it, or if the members of the town council would visit the jail once a week alternately, the trouble would not fall to the share of an individual above twice a year; and all these abuses would be corrected. The Lord Provost of Edinburgh is captain of the jail. Let it not be said that he never vindicates his office, but when instances of political necessity occur.

A gross abuse respecting this jail remains still to be mentioned. The jailor has a monopoly over the liquors and bread used in the prison. By this means, he may give them of what quality he pleases; he also exacts for them extravagant rates; for instance, whisky †, which, in public houses, is sold for twopence, or two-pence-halfpenny a gill, is there sold for threepence. To make people who are confined for debt pay more for their provisions than those who are in opulence, and at their liberty, is the most preposterous cruelty; therefore, the quality of the provisions furnished, and the prices exacted by the jailor, ought to be carefully attended to by the magistrates.

There is a chaplain appointed to this prison, who has a salary of thirty pounds a year. It is his duty, in a special manner, to observe the state of the prison, and give information of every abuse.

Of the Canongate Tolbooth.

In the middle of the street which goes by this name, is a court room for the magistrates of the Canongate, and a prison. These were built in the reign of James VI. Debtors of the better sort are ‡ commonly taken to this prison, which is well ired, has some decent rooms, and is kept tolerably clean.

* 'Naked, and ye clothed me: I was sick, and ye visited me: *I was in prison, and ye came unto me.*' St Matthew, chap. xxv. v. 36.

† Whisky is a spirituous liquor used by the poorer class of people in Scotland. Sometimes it is distilled from corn, sometimes from potatoes, sometimes from any vegetable trash that will ferment.

‡ On the front of the building is this inscription: 'J. R. 6. Justicia et 'pietas validæ sunt principis arces.'

Of the Cross of Edinburgh.

The Cross of Edinburgh was an ancient structure of mixed architecture, partly Grecian, partly Gothic. The building was octagon, of sixteen feet diameter, and about fifteen feet high, besides the pillar in the centre. At each angle there was an Ionic pillar, from the top of which a species of Gothic bastion projected; and between the columns there were modern arches. Upon the top of the arch, fronting the Netherbow, the town's arms were cut, in the shape of a medallion, in rude workmanship. Over the other arches, heads also, cut in the shape of a medallion, were placed. These appear to be much older workmanship than the town's arms, or any other part of the cross. Four of them are preserved in the tower built at Deanhaugh, by Mr Walter Ross, writer to the Signet. They are in *alto relievo;* the engraving is good, but the Gothic barbarity of the figures themselves bears the appearance of the lower empire. One of the heads is armed with a casque; another is adorned with a wreath, resembling a turban; a third has the hair turned upwards, from the roots towards the occiput, whence the ends of the hair stand out like points. This figure has over its left shoulder a twisted staff, probably intended for a sceptre. The fourth is the head of a woman, with some folds of linen artlessly wrapped round it.

The entry to this building was by a door fronting the Netherbow, which gave access to a stair in the inside, leading to a platform on the top of the building. From the platform, rose a column, consisting one stone upwards of twenty feet high, and of eighteen inches diameter, spangled with thistles, and adorned with a Corinthian capital, upon the top of which was an unicorn.

From the Cross of Edinburgh, royal proclamations, and the more solemn denunciations of law, were published. There, also, before the art of printing, the mode of publishing acts of parliament was by the heralds reading them aloud from the cross.

When plans were formed for enlarging and beautifying the city, this building was reckoned to incommode the streets. It was accordingly removed on the 13th of March, 1756, by order of the town council, with concurrence of the Lords of Session and Justiciary. The place whereon it stood is marked by the causeway being paved in the figure of an octagon, with radii diverging from a stone in the centre. Public proclamations continue to be made there. There also company daily resort, from one to three o'clock, for news, business, or

meeting their acquaintances, nobody frequenting the exchange. Four of the heads which were over the arches in the cross, are built up in Mr Ross's Tower, as has been already observed. The pillar is preserved in Lord Somerville's Park, in the neighbourhood of Edinburgh.

There was another cross in the Canongate, opposite to St John's Street, called St John's Cross; a third opposite to the Canongate Church, now erected close to the walls of the tolbooth; and a fourth called the *Girth Cross*, from its being the boundary of the sanctuary.

Of the Town Guard-House.

If the cross was removed as a nuisance, a much greater one is allowed to remain, the town guard-house, a huge mishapen hulk. This, we understand, is speedily to be removed; nor can there be any excuse for allowing it longer to encumber the streets, since the building, presently erecting by the town council, on the west side of the bridge, will afford good accommodation for the town-guard, is centrical in its situation, in case of fire, or other occasions of disturbance, and will be very well adapted for the confinement of nocturnal rioters.

Of the Weigh House.

At that part of the High Street where the Lawn Market terminates, and the Castle Hill begins, a public weigh house is situated in the middle of the street, for weighing goods. This building was formerly accommodated with a spire, in which there was a clock. These were removed about a hundred years ago (one would be tempted to conclude), for no other reason, but because they served, in some shape, to ornament a clumsy building, which incommodes the street, and ought to be pulled down as a nuisance.

Of the Palace of Holyrood-House.

This building has undergone various changes, none of what now remains can lay claim to antiquity, the ruins of the chapel excepted. The north-west towers were built for a royal residence, by James V. whose name is to be seen at the bottom of a nitch, in the north-west tower of the palace. It was burned by the English in the minority of Mary Queen of Scots, but was speedily repaired. It then became a larger building than the present, and consisted of five courts. The westmost, which was the outermost court, was larger than all the rest. It was bounded on the east by the front of the pa-

lace, which occupied the same space with its present front, and also extended further south. The three remaining sides of the outer court were bounded by walls; and at the north-west corner, there was a strong gate, with Gothic pillars, arches, and towers, part of which has been pulled down within these thirty years. The next court occupied the same with the present central court of the royal palace, and was surrounded with buildings. On the south there were two smaller courts also surrounded with buildings; and there was another court on the east, which was bounded on the north by the chapel royal, on the west by a * line of buildings covering the same space with the present east front of the palace. On the south, by a row of buildings which are now demolished, and on the north by a wall which divided it from St Ann's Yards. Great part of this palace was burned by Cromwell's soldiers. It was ordered to be repaired at the Restoration. Accordingly, the present magnificent fabric was designed by Sir William Bruce, a celebrated architect, in the reign of Charles II. and executed by Robert Mylne, mason.

The palace of Holyrood-house bears a resemblance to that of Hampton Court. It is of a quadrangular form, with a court in the centre, surrounded with piazzas. The front is two stories high, and flat in the roof; but, at each end where the front projects, and is ornamented with circular towers at the angles, the building is much higher; the rest of the palace is three stories high. Over the door, in the front of the palace, is a small cupola for a clock, the roof of which is an imperial crown in stone work.

The only apartments which are worth viewing, are those possessed by the Duke of Hamilton, heritable keeper of the palace. These occupy all that remains of the old palace. The young Chevalier lodged in them during his residence in Edinburgh, and a few weeks afterwards, the Duke of Cumberland occupied the same apartments, and the very same bed, which is still standing. In the second floor are Queen Mary's apartments, in one of which her own bed still remains. It is of crimson damask, bordered with green silk tassels and fringes, and is now almost in tatters. The cornice of the bed is of open figured work, in the present taste; but more light in the execution than any modern one we have seen. Close to the floor of this room, a piece of wainscot, about a yard square, hangs upon hinges, and opens a passage to a trap stair which communicates with the apartment beneath. Through this passage Lord Darnley, and the other conspirators†, rushed in to murder Riccio. The Queen was then supping, with the Countess of Argyle and Riccio in atten-

* Gordon's Map of Edinburgh, A. D. 1646.

† Robertson's History of Scotland, Appendix, No. 15. to vol. I.

dance, in a closet off her bed-chamber, about twelve feet square, the present north-west tower of the palace. Riccio was pushed out of the closet, dragged through the bed-chamber, into the chamber of presence, where, being pierced with redoubled wounds *, he expired.

Those chambers which are called the royal apartments, occupy three sides of the square on the first floor. On the north is a spacious gallery, of which, however, the height bears no proportion to the length. This apartment is entirely hung with pictures of a race of a hundred and eleven monarchs, through an imaginary series of upwards of two thousand years. The folly of the legend, and the baseness of the execution, in pourtraying these monarchs, whether real or imaginary, would make it for the honour of the country that they were utterly destroyed. We saw, indeed, that an attempt had been made at their destruction, which was not easily to be accounted for. Not only were most of them hacked and slashed, but in many of them large pieces cut out. This we afterwards learned was owing to General Hawley's having thought proper, after the defeat of the King's army at Falkirk, to quarter his troops in the gallery of this palace, and these *well disciplined troops* thought they could not better manifest their loyalty to King George, than by defacing, and hewing in pieces, every representation of the Scottish monarchs †.

We afterwards went through a suit of rooms, one of which has been intended for a state bed-chamber, and the two next for a drawing room and dining room. In the last of these, we saw some wooden forms; and, upon inquiring what purpose they served, were told, that it was to accommodate the Scottish peerage, as the election of *the sixteen* was held in that apartment. In this suit, the rooms are wainscotted with oak; the festoons of flowers and foliage over the doors and mantle-pieces are well executed; but the stucco ornaments of the roofs, similar to all those of that period, are heavy. The apartments on the south side of the square have never been finished but in a very pitiful manner. We found them made use of as lumber rooms for some of the nobility, who have lodgings within the palace.

We had heard of a picture of Charles I. and his Queen, being in what is called Lord Dunmore's lodgings, which in-

* Towards the outward door of this apartment, there are, in the floor, large dusky spots, said to have been occasioned by Riccio's blood staining the floor, which washing of the boards has not been able to take out.

† This was comparatively a modest testimonial of loyalty. *The same gallant troops*, about a fortnight afterwards, were quartered in the royal palace of Linlithgow. After receiving a night's lodging in it, they were pleased to burn it to the ground.

duced us to visit them. The apartments are few, of a pitiful size, miserably finished, and no furniture in them, except the picture already mentioned, and those of their present majesties. That picture represents Charles I. and his Queen, in a sort of Vandyke riding habit, as going out a hunting, attended by a dwarf, spaniels, &c. The figure of the king is done in a masterly manner; but the painter has not bestowed on Henrietta those graces which she possessed. The queen's palfrey, led by a negro, and a horse for his majesty, are also introduced. But the palfrey is out of all shape and proportion, the body being by much too gross for the size of the horse. The pictures of their present majesties are full length portraits by Ramsay.

This magnificent palace is of no use whatever, except the part which is occupied by the Duke of Hamilton; and the whole is falling into decay for want of being possessed, and kept in repair. That it is to be even of temporary use to the royal family, is a prospect with which Scotland does not flatter herself. To what use, then, ought this palace to be applied? To a purpose highly beneficial, and for which a building of this sort is much wanted—to the use of the college. The college is composed of a set of very mean buildings, neither fit to accommodate, nor suited to the dignity of such an university. The city of Edinburgh is so embarrassed in her funds, that it is impossible for her to advance a sum sufficient to build a new college. We have seen already, that Edinburgh has, on former occasions, been obliged to rear very expensive buildings for the accommodation of the state. It is, then, but retribution, that the government should bestow on the city a building of no use to the state, but which, thus applied, will be conducive to the purposes of science, to which its retired situation is excellently adapted. If this measure should not be embraced, two consequences seem probable, that Edinburgh will not be accommodated with a college, and that the palace of Holyrood-house, like the chapel, will go to ruin. For these reasons, it would seem advisable, that Holyrood-house was vested in the town council of Edinburgh for the purpose of a college, the buildings to be perpetually kept up at the city's expence; and, reserving * to the Duke of Hamilton the lodgings possessed by him, a temporary accommodation would be provided for any of the royal family who may incline to visit the capital of Scotland.

The environs of the palace afford an asylum for insolvent debtors. Adjoining to it, there is an extensive park, first in-

* In this event, the Duke of Hamilton, and his heirs and successors, as heritable keepers of the palace, might be empowered to see that it should be kept in due repair.

closed by James V. all of which is a sanctuary. This is a very singular piece of ground, to be in the near neighbourhood of a populous city. It is little else than an assemblage of hills, rocks, precipices, morasses, and lakes. In the memory of people not long since dead, the level strip, at the foot of the hill, which, from the Duke of York's having delighted to walk in it, bears the name of *the Duke's walk*, was covered with tall oaks. But now, there is hardly a single tree in its whole boundaries. Indeed, it is extremely doubtful, if, except at the bottom, there were ever any trees on these hills, the height of the ground, and barrenness of the soil, being very unfavourable for their growth.

The most considerable of these hills are called Arthur's Seat, and Salisbury Craigs. The genius of modern criticism has displayed itself, in deriving all Scots names from the Earse; and the profound critics, under a grave mask of ingenuity, argue learnedly upon the derivation of names, from certain words, in a language of which they do not understand, and perhaps cannot pronounce, one syllable. We are not able to combat those champions with their own weapons. But, after all, the learned derivations of *Arthur's Seat, and Salisbury's Craigs*, we must be pardoned for supposing the former to be derived from Arthur, the British Prince, who *, in the end of the sixth century, defeated the Saxons in that neighbourhood; and the latter, to take their name from the Earl of Salisbury, who, in the reign of Edward III. accompanied that prince in an expedition against the Scots. What makes the latter of these the more probable, is, that, in old authors, the name of these hills is indifferently spelled, *Salisbury and Sarezbury*; so also is the name of that Lord.

Arthur's Seat, the largest of these hills, rises by a steep and rugged ascent, till it terminates in a rocky point, seven hundred feet high from the base. Upon the west, are Salisbury Craigs, which present to the city an awful front of broken rocks and precipices, forming a sort of natural amphitheatre of solid rock. Among these rocks, are rich ores, spar, and great variety of rock plants; so that they are an excellent field for the naturalist. Sometimes, also, amethysts, and other precious stones, have been found among them. But the rocks themselves are far more valuable, affording an inexhaustible supply of hard stone for paving the streets; and of these stones, considerable quantities are sent for paving the streets of London. Between Arthur's Seat and Salisbury Craigs is a recluse valley, the bottom of which is a morass. Immediately upon descending into this valley, the view of Edinburgh is totally lost; the imperial prospect of the city and castle, which these rocks in a manner overhang, is intercepted by

* Whitaker's History, v. 2. p. 54.

Salisbury Craigs. Seldom are human beings to be met in this lonely vale, or any creatures to be seen, but the sheep feeding on the mountain, and the hawks and ravens winging their flight among the rocks. After the eye passes the ruins of St Anthony's Chapel, at a distance beneath, are seen a magnificent mausoleum, and the ruins of the church of Restalrig, and the fields gently sloping to the Forth. The town of Leith, the navigation in the river, and the island of Inchkeith, enliven the prospect which is terminated by the bold shores, and mountainous parts of Fife.

On the south, Arthur's Seat is in many parts a perpendicular rock, composed of natural pillars, regularly pentagonal, or hexagonal, about three feet in diameter, and from forty to fifty feet high. At the bottom of the rock, is a lake belonging to the Earl of Abercorn, called Duddingston Loch; beyond it, are seen his lordship's elegant villa, Craigmillar Castle, the village of Inveresk, Musselburgh Bay, the southern banks of the Forth; and, at a great distance, North Berwick Law, like a vast cone seeming to rise from the waves.

Of the Royal Exchange.

With the increasing opulence of the nation, and populousness of Edinburgh, the citizens felt, with additional severity, the inconvenience they had long laboured under, of being straitened in space, for lodging of private families, and destitute of public buildings necessary for accommodating those societies which assemble in populous cities, to direct the business of the country, and provide for its general welfare. Men of taste, rank, and opulence, displayed a patriotic exertion of spirit for the improvement of the capital; the royal boroughs promoted liberally the advancement of their ancient metropolis; and the authority of parliament was interposed for enlarging and beautifying * the city of Edinburgh.

In prosecution of this general plan of improvement, the commissioners † appointed by parliament for carrying these purposes into execution, thought it advisable to begin with building an Exchange for the accommodation of merchants. To this effect they impowered the town council to contract with tradesmen for the building; and the area on the north side of the cross, then occupied by ruinous houses, was pitched upon as most suitable for the purpose.

The foundation of the intended building was laid with great

* George II. an. 27. c. 36.

† These Commissioners were chosen from among the nobility who patronized the scheme, from the different bodies composing the College of Justice, and from the Town Council of Edinburgh.

formality on the 13th September 1753. George Drummond Esq; then Grand Master of the Free Masons, whose memory, as a patriotic magistrate, will ever be revered by the citizens, performing the principal part in this ceremony. To add to its solemnity, a triumphal * arch, theatres for the magistrates, and officers of the grand lodge, and galleries for the other lodges and spectators, were erected upon the occasion. The contract, however, for carrying on the building, was not settled till the 12th of June 1754, and next day the work was begun.

The Exchange is a large and elegant building, of a square figure, with a court in the centre. The principal part of the building forms the north side of the square, and extends from east to west an hundred and eleven feet over wall, by fifty-one feet broad. Pillars and arches supporting a platform, run along the south front which faces the square, and form a piazza. In the centre, four Corinthian pillars, whose bases rest upon the platform, support a pediment, on which the arms of the city of Edinburgh are engraved. This building is to the south or main front sixty, but, by reason of the extreme inequality of surface, is to the north, an hundred feet high. The first floor of the main front is laid out in shops. The upper floors are occupied by the Board of Customs, who have upwards of twenty apartments; for these they pay to the city a rent of £.360 a year. The access to these apartments is by a hanging stair, of which the wall is twenty feet square, and sixty feet deep.

From each end of the principal building, two wings extend themselves southwards a hundred and thirty-one feet; but if the breadth of the principal building is also reckoned, the extreme dimensions of the whole amount to one hundred and eighty-two feet south and north, by one hundred and eleven feet east and west upon the north front; but upon the south front, a hundred and forty-seven. The south side of the square is formed by a light colonnade, about twenty-five feet high, with a platform on the top, adorned with pilasters and vases. The centre arch under the colonnade, is the entry to the court; the other arches are built up, and let out in shops. The court itself, surrounded by these buildings, is, in its dimensions, ninety-six feet south and north, including the piazza, by eighty-six east and west. The expence of the whole building, including the price paid for the area, amounted to £.31,457 Sterling. It is somewhat remarkable, that although the north front of the Exchange is a building of hewn stone, upwards of a hundred feet square, there is not a rent or crack perceivable in the whole.

* Council Register, 12th June 1754. Scots Magazine, v. 12. p. 428. vol. 16. p. 409.

Of the Bridge, and of the Extended Royalty.

The Exchange being finished, the next object to which the magistrates of Edinburgh, and the trustees appointed by parliament for the improvement of the city, turned their attention, was to build a bridge of communication with the fields on the north, and to obtain over them an extension of the royalty. These were part of the original plan proposed for the improvement of the city, A. D. 1752; and to assist the magistrates in effectuating these measures, the trustees made over to them a balance of L.3000, which then remained in the hands of the trustees, after what they had advanced towards building the Exchange. But the first steps towards carrying these measures into execution, were moved A. D. 1759. At that time the magistrates of Edinburgh prepared the draught of a bill, to be laid before the parliament for the extension of the royalty, which they thought it essential for them to obtain before the building of a bridge. They desisted, however, from the intended application, in consequence of the opposition to it, formed by the landholders in the county: by those very gentlemen, who, afterwards, upon the bridge being built, and royalty extended, prepared for the citizens a scheme of unparalleled oppression, by proposing to exact new and additional tolls, on all quarters of the city, for the purpose of building a bridge of communication to the south, on such terms as behoved to ruin the property in the ancient and extended royalties, and in a manner to render them desolate.

The magistrates of Edinburgh, defeated in their purpose of obtaining an extension of the royalty, set themselves about building a bridge without it. Accordingly, in A. D. 1763, the North Loch was drained, and the mud removed, in order to the finding a proper foundation. The first stone was laid by George Drummond, Esq; Lord Provost of Edinburgh, on the 21st of October 1763; but the contract for building the bridge was not signed till the 21st of August 1765. The parties to this contract were the town council of Edinburgh, and William Mylne Architect, brother to the person who built Blackfriars bridge. By this agreement Mr Mylne became bound to build a bridge of communication between the high street and the fields on the north, for the sum of L.10,140 Sterling. The work was to be completed before Martinmas 1769, and Mr Mylne engaged to uphold it for ten years. A wonderful infatuation and misfortune have attended the magistrates of Edinburgh in all their conduct respecting the bridge and the extended royalty. It was suggested by one of the city clerks, that an overseer should be appointed to superintend the work. This the chief magistrate, for the time, spurned

at, as an indignity offered to Mr Mylne, and as such it was rejected. Mr Mylne proceeded with his work. He had well nigh completed it by the time specified, when, on the 3d August 1769, the vaults, and side walls on the south end of the bridge, gave way, and five people were buried in the ruins.

Three eminent architects were immediately consulted upon the cause of this misfortune, and the mode of repairing the bridge. They gave in a report accordingly; but, at that time, they had only discovered the more palpable cause of the tumbling of the bridge, namely, the immense undigested mass of earth which was piled upon the vaults and arches, in order to raise the bridge to a proper level. For this purpose, the greater load of earth became necessary, as Mr Mylne, either from an error in taking the altitude, or with a view to save money, had fallen short eight feet in the height of the piers stipulated by contract. The other cause of the downfall of the bridge was the insufficiency of the foundation. We have had occasion, repeatedly, to remark the inequality of the surface in the city of Edinburgh; now, when the houses on the north of the high street, had long ago been built, those who dug the foundations would naturally throw the earth north from them into the hollow waste. By this means, and by the rubbish accumulated in the course of time, the ground on the north side of the town was, to a considerable depth, not natural, but travelled earth. It would appear that Mr Mylne, not adverting to these circumstances, and entertaining no suspicion of any difficulty about the foundation in that part, had trusted it to his workmen, who, in digging for the foundation, stopped short when there were *eight feet deep* * of travelled earth between the foundation and the natural solid mass.

The bridge was relieved and repaired, by pulling down the side walls in some parts, and rebuilding them; and, in others, by strengthening them with chain bars; by removing the vast load of earth laid upon the bridge, and supplying its place with hollow arches thrown between the convex sides of the great arches; by raising the walls that went across the bridge to an additional height, so that the vaults springing from them might bring the road to a proper elevation, without much covering of earth; by throwing an arch of relief over the small south arch, which was shattered; and, as there were rents in the walls, or at least as they had gone off the line at both ends of the bridge, the whole is supported by very strong buttresses and counterforts at the south end, upon each side of the bridge, and upon which houses are erected; but, at the north, there is a counterfort only upon the east side.

* The buttress, or counterfort, presently building on the west side of the bridge, is founded *ten feet deeper than the foundation of the bridge.*

The bridge being thus fortified, there need be no apprehensions about its security. The bridge itself was made passable A. D. 1772, but the south-west counterfort is but presently (1778) building. The expence of the whole has already amounted to L.17,354.

Its dimensions are as follow: Width of the three great arches 72 feet each, breadth or thickness of the piers 13½ each; width of the small arches 20 each. Total length of piers and arches 310 feet. Length of the bridge from the high street to prince's street 1,125 feet; height of the great arches from the top of the parapet to the base 68; breadth of the bridge within wall over the arches 40; breadth at each end 50 feet.

Although the magistrates of Edinburgh were disappointed in their first endeavours to obtain an extension of the royalty, they did not relinquish the attempt; and the propriety, or rather necessity, of the measure being obvious, the gentlemen of the country dropped their opposition. An act was accordingly passed * in A. D. 1767, extending the royalty over the fields on the north of the city. Advertisements were, at the same time, published by the magistrates, desiring plans to be given in, conform to which buildings might be erected in the most regular, handsome, and commodious manner.

Plans being lodged accordingly, that designed by Mr James Craig, architect, was approven of, and adopted. An engraving of the plan was published by authority of the magistrates; the original lay upon the council table; and the public were invited to purchase lots from the town council, and were taken bound to build conform to the lines and regulation established by the plan. Never did the public harbour a notion, that, when individual purchasers were bound to observe certain rules in their building, conducive to the general beauty and uniformity, the town council were at liberty to depart from the plan they had adopted, and to hurt the properties of individuals, by destroying the beauty of the whole. Never did they suppose, that a magistracy, which, for a number of years, had exerted the most spirited endeavours to improve and adorn the city, by the aid of national contribution, and parliamentary authority, could, for a wretched gain, ruin the principal object which they had pursued. Never did the idea occur to them, that the plan hung out to the public, bearing a reference to a particular act of council, and the act of council itself, were at variance. This, however, was the case.

After many gentlemen had feued † areas from the town,

* Geo. III. an. 7. c. 27.; Council Register, 21st August 1765; Scots Mag. v. 31. p. 461.

† To feu is a mode of holding property very common in Scotland, by which the purchaser holds his land of a subject superior, to whom, besides the price

and built genteel houses upon the faith of the plan, they observed the spot, which in the plan was delineated into terraces, and a canal, rise in mean and irregular buildings, and workhouses for tradesmen. When this deviation was complained of, the clause in the act of council, reserving liberty to the town to build upon the spot delineated into terraces, was read to the complainers, and they were laughed at for their credulity. The purchasers in the extended royalty brought an action before the Court of Session against the town council, praying, that the authority of the court might be interposed, for putting a stop to what they deemed a violation of public faith, to the injury of their property. That court, however, did not enter into the ideas of the complainers, nor afford them redress, but deemed the act of council to be the regulating standard, allowing the plan signed by the Lord Provost to pass for no more than a decoy. The liberal and extensive ideas of Lord Mansfield were far different. The House of Lords, upon an appeal, reversed the sentence of the Court of Session, and remitted the cause to them. After an expensive litigation, differences were compromised, chiefly by the mediation of Mr Stodart, then Lord Provost of Edinburgh, who, in every thing respecting public works, and the improvement and decoration of the city, showed himself an excellent magistrate. This compromise was established by the form * of a decreet-arbitral. By this it was provided, that, on the south side of Prince's Street, there should be no buildings from a point as far west from the intended street, called in the plan Hanover Street, as the large building on the south side of Prince's Street, fronting the north and west, is east from St Andrew's Street. The intermediate spaces were appointed to be laid out in terraces and a canal; but the time of disposing the ground in that order was referred to the Lord President of the Court of Session, and the Lord Chief Baron of Exchequer.

The unfortunate downfall of the bridge, with the dispute between the town council of Edinburgh and the feuers in the extended royalty, behoved to retard the progress of *the New Town*. But another piece of very great imprudence in the magistrates left space for the citizens to build elsewhere.

The public taxes exigible by the town council of Edinburgh are, no doubt, a hardship upon the citizens; but the imposition of them was unavoidably necessary, to discharge the debts the city had incurred in consequence of many expensive public works, of the former tyrannical exactions of government, of the monstrous rapacity of Lauderdale, and the gross

he pays in hand, he gives a perpetual yearly acknowledgement, which is termed *feu-duty*.

* Council Register, 20th March, 1776.

peculation of the city-clerks of Edinburgh during his administration, who had aptly imbibed the example set them by that master in tyranny and extortion. There was a space of ground on the south side of the town, to the extent of twenty-six English acres, which the town council had an opportunity to purchase for L.1200; which, however, they neglected. No sooner was it bought by a private person for the purpose of its being feued out in lots for building upon, than they saw the consequences, and offered Mr Brown, the purchaser, L.2000 to give up the subject. But as Mr Brown demanded L.20,000 for it, there was an end of the transaction. As the builders in that area were not liable to the public burthens of the city, people preferred the lots in the south to those in the New Town, where, besides the public taxes, the feuers would be exposed to the danger of what was then deemed a crazy bridge, and to an expensive litigation with the magistrates, who appeared to have adopted every measure recommended, by its tendency, to discourage and oppress those who purchased lots in the extended royalty.

Notwithstanding these discouragements, the progress of the New Town has been rapid. The buildings along Prince's Street have run to a considerable length. St Andrew's * Square, and the streets connected with it, are almost complete. Indeed, the natural advantages of the situation, joined to the regulation of the whole being built conform to a regular and beautiful plan, give the extended royalty a superiority over any city in Great Britain. The area is level; yet on each side there is a declivity, which gives an opportunity of making proper common sewers, which are made accordingly. The prospect from the New Town is as beautiful as almost any country can afford. There is a supply of excellent water from the general reservoir; and, in the neighbourhood, there is an inexhaustible fund of free and whin-stone quarries, the first for building houses, the last for paving the streets. The New Town, however, is, in a special manner, exposed to very violent winds, which rage in Edinburgh with incredible fury. Houses blown down, large trees torn up by the roots, people carried off their feet, and beat down upon the pavement, are no uncommon circumstances in Edinburgh. It will hardly be credited, that, on Saturday the third of January, 1778, the Leith guard, consisting of a serjeant and twelve men of the 70th regiment, were all of them blown off the Castle Hill, and some of them sorely hurt.

With the advantages formerly mentioned, *St Andrew's Square*, is the finest square we ever saw. Its dimensions, indeed, are small, when compared with those in London; but the houses are much of a size. They are of an uniform height; are all

* The dimensions of St Andrew's Square are about 510 by 520 feet.

built of free stone; and Sir Laurence Dundas's house *, which is in the centre of the east side of the square, off the line of the other buildings, and having a court before it, is incomparably the handsomest town-house we ever saw.

Of the Register Office.

The public records of Scotland have suffered a variety of disasters. Edward I. after having almost subdued the kingdom, desirous to assert his feudal superiority over it, and willing that no marks of its former independency should remain, carried off or destroyed its ancient records. Those which had been collected between the days of that crafty prince, and the usurpation of Cromwell, after the latter had subdued Scotland by a more complete conquest, and regulated it with a gentler sway, were mostly sent by him to the Tower of London. Upon the Restoration, many of those papers were sent down by sea to Scotland; one of the vessels was shipwrecked, and the records, which, in other vessels, came safe to Edinburgh, have either been allowed to remain, till this hour, in their original package, or have been crowded together in much confusion, owing to the want of proper places for their disposal and arrangement.

The public archives being mostly kept in apartments under ground, or in wooden houses, the late Earl of Morton, Lord Register of Scotland, observing the inconveniency and danger attending that mode of keeping them, obtained L.12,000 out of the forfeited estates, by a grant from his majesty. This sum having lain at interest since A. D. 1765, and a design for a general repository for the records of Scotland having been made out by Robert Adam, Esq. architect, the foundation stone of this building was laid on the 27th of June 1774, by Lord Frederick Campbell, Lord Register, Mr Montgomery of Stanhope †, Lord Advocate, and Mr Millar of Barskimming Lord Justice Clerk, three of the trustees appointed by his majesty, for carrying the work into execution. The ceremony was performed under a discharge

June 26, 1765.

* The design of this house was by Sir William Chambers; the execution by Mr William Jamieson, mason. Upon the north end a house is built by Mr Crosbie, advocate, with large Ionick columns, which answers as a wing to Sir Laurence's house. It is to be hoped, that, when the magistrates dispose of the correspondent area on the south end, they will take care to preserve uniformity, by making the house, to be raised on it, be built after the design of Mr Crosbie's.

† Upon a brass plate put into the foundation stone, there is the following inscription: 'CONSERVANDIS TABULIS PUBLICIS POSITUM EST, ANNO 'M,DCCLXXIV, MUNIFICENTIA OPTIMI ET PIENTISSIMI PRINCIPIS GEORGII 'TERTII.' In a glass vase, hermetically sealed, also placed in the foundation stone, there are deposited specimens of the different coins of his present majesty.

of artillery, in presence of the Lord Provost and magistrates, the judges of the courts of session and exchequer, and an immense number of spectators, who were speedily to drop into oblivion, while the building, whose foundation they witnessed, shall remain a monument to distant posterity.

This we consider as by far the most beautiful of Mr Adams's designs. Most of the plans of this eminent architect, either from justice not being done them in the execution, or from the choice of materials, of which the fabrics are composed, appear far more * beautiful in the drawing, than when realized; but the reverse is the case with the Register Office, which excels the ideas we form of it from the plan. Although the work is not yet completed †, in the following description we speak of it as finished.

The front of the building, which is forty feet back from the line of Prince's Street, and directly facing the bridge, extends from east to west 200 feet; and when the supplementary part of the plan shall be completed, it will be 200 feet square. In the middle of the front there is a small projection of three windows in breadth, where four Corinthian pilasters support a pediment, in the centre of which are the arms of Great Britain. At each end there is a tower projecting a little beyond the rest of the building, having a Venetian window in front, and cupola on the top; and the front is ornamented, from end to end, with a beautiful Corinthian entablature. In the centre of the building is a dome of wooden work, covered with lead; the inside is disposed into a saloon of fifty feet diameter, and eighty high, lighted from the top by a copper window of fifteen feet diameter. The roof is divided into compartments, elegantly ornamented with stucco-work. There are arches in the wall disposed into presses for holding of the records; the access to them is by a gallery, which runs around the whole apartment.

The Lord Register's room is also a handsome apartment. Its dimensions are 35 feet by 24, and 23 high. There are two handsome stair cases leading to the different chambers where the national records are kept, and the clerks in the public offices accommodated. The number of these apartments, besides passages, stair cases, and water closets is ninety-seven. They are all vaulted beneath, and warmed with fire places. The expence of the whole, when finished, is estimated at L.25,000.

* Of this, we apprehend, the buildings in the Adelphi, London, afford a striking instance.

† This building has been carried on under the inspection of Mr Salisbury, mason, who has bestowed the utmost attention in the choice of materials, and upon the execution of the work; so that, in these articles, as well as in the beauty of the design, it is inferior to no modern building whatever.

Of the Physicians' Library.

The Royal College of Physicians was incorporated by a charter of Charles II. of the 29th November 1681, which was ratified * by parliament A. D. 1685. We had occasion formerly to remark † the wretched state of the medical science at that period. By this charter and ratification, the Royal College are granted an exclusive privilege of practising medicine in Edinburgh, of making bye laws for the regulation of their society, and other privileges and immunities. It is further provided by this statute, that the Royal College *shall, at least twice a year, visit all the apothecaries' shops within the city and liberties of Edinburgh, and destroy all insufficient and corrupted drugs:* this part of their duty, however, they, for a long time, have omitted.

The College of Physicians had formerly a meeting room, and some other property, near the Cowgate Port; but the house having become ruinous, they did not chuse to build in that situation: they, therefore, disposed of the ground to the gentlemen of the Episcopal Communion in Edinburgh, who have there erected the English Chapel.

The College of Physicians feued from the town of Edinburgh a large area, in the centre of one of the divisions of George's Street, in the extended royalty, on which they have erected a magnificent hall, the design of Mr Craig, who planned the New Town. The foundation stone was laid by Dr Cullen, assisted by all the medical professors, 27th November 1775. This building extends upwards of eighty feet in front. It is adorned with a portico, the pediment of which is supported by four superb Corinthian columns, which stand at a distance of six feet from the wall. The platform on which they are erected, is about seven feet above the level of the street, and the ascent to it is by a flight of steps thirty feet wide.

The under floor contains lodging for a librarian and porter, and some other apartments. The second floor, to which the entry is by the stair leading to the portico, consists of four apartments, a lobby, which is a cube of thirty-feet, lighted by five windows, two on a level with the door, and three above. On the right hand is a room of twenty-four feet by eighteen, and fourteen high; and on the left, another of the same dimensions. One of these apartments is intended for the ordinary meetings of the college; the other for a waiting room, to accommodate those who may have business with the college at their meetings: But the principal apartment is destined

* Act James VII. par 1. sess. 1. 16th June 1685. † Book 1. c. 4. prop. fin.

for the reception of the library, and the different curious productions belonging to this society. This room is upwards of fifty feet long, by thirty broad, and twenty high. It is lighted by two rows of windows, five in each row, and on three sides is surrounded with a gallery. Besides these, there are some smaller apartments where the members of the college may read or write, when they borrow books from the library which they do not chuse to carry home with them.

The library contains many valuable books, chiefly in natural history, the greatest part of which belonged to Dr Wright of Kersie; and, upon his death, a donation was made of them by his heir, to the college, in consequence of an inclination, to that effect, expressed by the deceased.

Of the Suburbs of Edinburgh.

It may not be amiss to say a few words respecting such of the suburbs of Edinburgh as we could not conveniently introduce in the general description of the city. Of these the chief are Georges' Square, and its environs, the Pleasance, the Calton, and Portsborough.

Except a narrow mean street called Potterrow, and a very short one called Bristo, there were, till within these twelve years, hardly any buildings on the south side of the town. In our account of the Bridge and extended royalty, we have already explained the inducements which led people to build in that quarter. These may be all comprehended under one article, namely, the multiplied series of misconduct and misfortune, which gave discouragement from building within the extended royalty. George's Square was begun in A. D. 1766. Three sides of it are now complete; and the fourth, which is the south side, begun. The dimensions of the Square are six hundred and seventy, by five hundred feet. The upper side of the square fronts the south, to which the ground falls with a gentle declivity. But the buildings in this row have a poor appearance, and give a bad effect to the whole. They are of a mean and unequal height, but mostly consisting only of a sunk floor, principal floor, and attic storey. The construction of the vents is by no means good, and the walls are built partly of blue whin, partly of free stone, put alternately in a chequered figure, resembling the stuff that sailors shirts are made of, and having, upon the whole, a very bad effect. The houses on the east and west sides are handsome buildings, of a good and regular height, of free polished stone.

The inhabitants of this square have the convenience of immediate access to agreeable walks in the Meadows. There are several avenues to the square, such as Charles Street, Crichton Street, &c. all of them laid out by Mr Brown. On

the south of the square, is a considerable property, not yet occupied, also belonging to Mr Brown. This he has designed for a street eight hundred feet long, and a hundred feet broad, to be called Buccleuch Street. Commissioners are appointed by statute for the purpose of cleansing *, lighting, and watching these streets. In order to defray the necessary expence, they are impowered to levy from the inhabitants a sum, at the utmost not exceeding one shilling in the pound of their respective real rents.

On the east side of the Potter-row, is a street called Nicolson Street, from Lady Nicolson, deceased, to whom these lands belonged. On each side of the street are good houses; but they are mostly detached from each other, the whole commanding a beautiful prospect of the Forth, and of Salisbury Craigs.

As a great part of the ground in this quarter is, and probably will remain unoccupied by buildings, on account of the badness of the access, an attempt was made, in the year 1775, to remedy this inconvenience. But, as frequently happens, the proposers of this scheme, by grasping at too much, lost all.

It has been already observed, that the gentlemen of the county of Edinburgh opposed the extension of the royalty. Now, when the royalty was extended; when the magistrates had, on the faith of it, expended in building a bridge, in making common sewers, in paving the streets, and laying water-pipes, not less than thirty thousand pounds Sterling, those very gentlemen prepared a scheme, which would not only have disappointed the magistrates of Edinburgh, in being remunerated for their expences, but would have absolutely ruined the property both in the ancient and extended royalties.

It must be observed, that the cess, or land-tax payable to the city of Edinburgh, the ministers' stipends, the interest of the city's debts, &c. &c. are paid out of taxes imposed for defraying these charges on those residing within the royalty. Now, it was endeavoured to obtain an act of parliament for building a bridge of communication between the High Street and Nicolson Street, without extending the royalty over these fields. The tendency was obvious. People would fly to a quarter where they would enjoy most of the advantages of the city, without being liable to its public burthens. The value of property within the city would bear no proportion to that on the south, and the public taxes would fall, with double severity, on the diminished inhabitants of the royalty.

As if this scheme had not in itself been sufficiently iniquitous, a plan was formed for defraying the expence of this

* George III. an. 11. c. 36.

bridge, so big with absurdity and oppression, that, were not the facts of public notoriety, had not the bill proposed to have been brought into parliament been printed, we should have hesitated to have repeated what was consistent with our knowledge, we should have despaired of gaining the faith of the public. The expence of the bridge was estimated at L.8600. In order to defray it, it was proposed not to levy a toll on the bridge itself, but to exact additional duties at all other quarters of the city where tolls were already payable, and to impose new ones where there were none before, on the most frequented streets and roads in the neighbourhood; for instance, between the city and the town and harbour of Leith, between the city and the Water of Leith, where the flour, meal, &c. consumed in the city are prepared; and between the city and the town of Musselburgh, and the links and sands of Musselburgh and Leith. By this scheme, a sum would have been collected, probably equal to all the tolls already payable in the neighbourhood of Edinburgh, that is, about three thousand pounds a year.

The proposal being laid before the gentlemen of the county, it was approven of, and adopted; and it was resolved, that application should be made for the authority of parliament; two gentlemen only dissenting from, and protesting against the resolution: And the thanks of the meeting were given to those who had contrived the scheme. Means, however, were used, to explain to the public the tendency of the measure. Instantly an universal combination was formed against it. Eighteen different Incorporations, united by no political tie, nor indeed by any band, but a sense of their mutual interests, came to a resolution to apply for leave to be heard by counsel, against its passing into a law, and instructed the city's representative to oppose it. The gentlemen of the county found the opposition so formidable, that they deemed it prudent to drop the attempt.

We shall not suppose it possible, that a measure so absurd will be again attempted. But, were the proprietors on the south side of the town, whose properties would be enriched by a bridge of communication, to propose to build one at their own expence, it is not the interest of the city, as a body corporate, nor of the citizens at large, to consent to it; nor ought the parliament, in justice, to interpose their authority for carrying it into execution, but upon this condition, namely, the extension of the royalty, by which the whole of the citizens being put upon an equal footing, would divide and lessen each others burthens; and, in that event, it is for the interest of the city that a South Bridge were built; and the magistrates should lend their aid towards carrying it into effect.

At the north end of Nicolson's Street, is an obelisk erected by Lady Nicolson. It consists of a Corinthian column, capital and base, of which the total height is twenty-five feet two inches, and the diameter of the column two feet one inch. Upon the base there is an inscription in Latin and English, setting forth, that Lady Nicolson having been left the adjacent piece of ground by her husband, had, out of regard to his memory, made the ground be planned out into a street, to be named after him, *Nicolson's Street.* Not far from the obelisk, is the public Riding School, or Royal Academy. In this neighbourhood also, are several meeting-houses belonging to Dissenters of different denominations.

At a distance from Nicolson Street, on the east, is another suburb of Edinburgh, called the *Pleasance.* This formerly belonged to the Earls of Roxburgh, and was purchased from one of them by the magistrates of Edinburgh, A. D. 1636. The Pleasance consists of one mean street; through it lies the principal road to London. There is nothing remarkable in this suburb except a large brewery, with spacious vaults, belonging to Mr Bell, where the best strong beer is made of any brewed for sale in Scotland. The quality of it is, indeed, so good, as to recommend itself to be purchased, not only for home consumpt, but also for exportation.

The Calton is an high hill close to the city, on the north; the skirts of it on the west side are occupied with mean houses, inhabited by the lowest class of artificers. Round the hill is a walk lately laid out, which commands a vast extent and variety of prospect. The hill itself is also a beautiful object; on the top of it is the Observatory, and a lesser building belonging to it, in the shape of a Gothic tower. On the south-west end of the hill is a burying ground; at the utmost verge of which, upon the brow of the rock, are deposited the remains of that ornament of his country, DAVID HUME. Over these, a monument, designed by Mr Adam, has this year been erected. This building is in the Greek taste; it is of a circular form, its diameter being twenty feet by about thirty high, the height of the walls concealing the roof. On the south and north sides of the building, are two pedestals, or wings, about ten feet high, and five wide, supporting a couple of sphinxes. Over the door (which fronts the north-east), is a stone pannel, having this inscription:

DAVID HUME, NATUS APRIL, 26. 1711. OBIIT AUGUST, 25. 1776.

Over this a belt and cornice surrounds the whole building. Above the door there is a nitch, containing an urn, and at the top, the building is encircled by a Doric entablature, finished in the antique style.

Portsborough is a suburb lying at the west end of the city. It consists chiefly of a narrow street, formed by mean houses, and dirty miserable alleys running from it. In this neighbourhood is an old irregular building, of a good appearance, called *Wright's Houses.* This is said to have been built for the reception of a mistress of King James IV.

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BOOK THIRD.

CHAPTER I.

Of the Populousness of Edinburgh, and of its Supply and Consumption of Provisions.

TO ascertain, with any tolerable precision, the number of inhabitants in a great city, is a matter attended with considerable difficulty. In a capital, where, at different seasons of the year, there is a fluctuation in the number of inhabitants, by reason of the meetings and recesses of courts of justice, colleges, and assemblies of the people, the difficulty must be greatly increased. But in Edinburgh, where these obstacles are enhanced, by the number of families living under the same roof—by the city not being divided into parishes—by no attention being paid to keeping the register of burials with tolerable exactness—and, by the register of births being still worse kept, or rather grossly neglected, it must be particularly hard to determine the number of inhabitants. In this case, even an actual survey, unless made with great attention and dispatch, and upon judicious allowances for the season of the year, would lead to error.

The systems upon which political writers have endeavoured to ascertain the number of inhabitants in different places, appear liable to many objections, particularly that of determining their number by the baptismal and funeral registers. For instance, it has been found, that in different places, certain different proportions of mankind die annually; yet from this no absolute conclusion can be drawn from these registers respecting the populousness of the place in which they are kept; and none at all respecting its healthfulness, or prolificknes, unless the inhabitants are *stationary*; that is, live and die in the same district. For instance, the variety of occupations in towns and cities induce people of all ranks, from motives of business, or pleasure, to flock to, and reside in them. Hence a double deduction is evident respecting great towns and country parishes, namely, that it is unfair to argue upon the healthfulness or prolificknes of the country, from the proportion between the births and burials; because many

who are born in the country spend their lives, and die in the city. By a parity of reasoning, it is unfair to argue against the unhealthfulness of cities, from a comparison of the same registers; since, besides those who are born in cities, numbers who are born in the country come to cities, reside and die in them, and consequently increase the funeral register. Therefore, unless a third list of *emigrants and entrants* was preserved, it will be very fallacious to lay much stress upon baptismal and funeral registers, for the comparative healthfulness or prolifickness of the town and country.

Again, to argue upon the populousness of any district, from the same data, is liable to exception, since the relative proportion between the number of inhabitants, and the changes among them by births and deaths, is not uniform in different places, but depends upon the constitution of the inhabitants, their manner of living, and the nature of the climate.

Having thus stated the difficulties which attend the forming of an estimate of the populousness of a place, its healthfulness and prolifickness, from the register of births and burials, let us now consider another mode of attaining that information.

Doctor Price, and other writers on political arithmetic, have reckoned the number of persons in a family to be, at a * medium, over England and Wales, $4\frac{1}{2}$ in each. It has been found, from actual and late surveys, that, in Manchester †, there were $5\frac{1}{2}$ *persons in each family;* in Leeds only $4\frac{1}{3}$; and in ‡ other places still different proportions.

Now, if from many surveys and deep reflection, it has been found, that a certain number is the medium of persons in a family over all the kingdom, it is evident, that, to apply this standard to any given district, not only may lead to error, but the odds are very great that it does not direct aright. In the same manner as, supposing five feet six inches to be the medium height of grown persons, one were to apply a standard of these dimensions to the first man he met, it is clear the chance would be very great, that the person accidentally met would either exceed, or fall short of the standard.

From what has been said respecting calculations founded upon the bills of mortality, or upon the supposed number of persons in a family, we infer that it is not possible to collect from either of them the populousness, healthfulness, or prolifickness of the place, without framing a particular standard or hypothesis, from consideration of the climate, constitution, and manner of living among the inhabitants; also of the state of the inhabitants, whether they be hinds and farmers living in a country parish, mechanics and shopkeepers in a town or

* Price's Obser. on Reversionary Payments, p. 185.
† Percival's Philos. Essays, p. 54. ‡ Price's Observations, p. 184.

village; or whether there be also a mixture of families of rank and opulence.

As to the registers of births and burials in Edinburgh, it has been already observed, that, of late, they have been kept in such a manner as to render them (if any arguments be drawn from them), the infallible sources of error. The register of burials is kept by people whose faculties are impaired by drinking, who forget to-day what was done yesterday: People who have an interest in reducing the list of burials, as thereby they may peculate the share of *mort-cloth* money * due to the Charity Work-house. Besides, they enter not into the list of burials any who have died without receiving baptism; nor those whose relations are so poor, as not to be able to pay for the use of a *mort-cloth*; nor those who die in the Charity Work-house. In foreign nations, and other parts of this kingdom, the clergy pay attention to the parochial registers. We shall leave it to the ministers of Edinburgh to assign their own reasons for omitting what is generally considered as a branch of the pastoral duty.

As for the register of births, it does not deserve the name. True it is, a list is kept in the south isle of St Giles's church, where any person who chuses to go with a piece of money, will get the birth and name of a child inserted. But no attention is paid to the observation of this practice, either by the clergy, or by parents.

In our calculation, therefore, of the populousness of Edinburgh, we set aside entirely any consideration of the parochial registers: But an actual survey has been made of the number of families in Edinburgh. We proceed to consider the special circumstances of the city, which enable us to form an hypothesis, or standard, by applying which to the families, the amount of individuals may be ascertained.

As the populousness of a place, in some measure, depends upon its healthfulness; so likewise must the number of persons in a family. Edinburgh, we apprehend, to be as healthful as most towns in Britain, and more so than any of equal bulk. Its situation is elevated; it is not near any stagnant waters; and its neighbourhood to the sea not only renders the air more salubrious, but gives the opportunity of sea-bathing to people of all ranks. The climate is temperate; neither rains nor drought † are excessive; and the great violence of the winds tends to dissipate any noxious vapours. The inhabitants, instead of being crowded together as formerly, are withdrawing

* The *mort-cloth* is the term generally used in Scotland for the pall.

† Medium of heat in each month in the year, deduced from ten years observation. The table kept at Hawkhill, a mile east from Edinburgh, from A. D. 1764 to 1774, by Mr James Hoy, at the desire of the late Lord Alemoor.

to spacious streets, and to houses more large and commodious. The city is supplied with excellent water, and with a plentiful variety of vegetables at a moderate price. All these circumstances must undoubtedly be conducive to health.

The want of many branches of manufacture, especially those which require a sedentary life, although prejudicial to the trade of Edinburgh, must be numbered among the circumstances conducive to the health of its inhabitants. Neither are the children there put to school so early as in England; that mode of torturing the faculties, cramping the genius, and ruining the constitution of infants, by exacting untimely fruits, like from plants in a hot-bed, is not embraced. Far less do they doom a set of miserable infants, by the time they are well able to walk and speak, to assist in different branches of manufacture, thereby gathering from them a premature and scanty crop, at the expence of cutting off many years of health and industry, or of leaving them to drag out a tedious existence, oppressed with disease and deformity.

The institution of the Royal Infirmary, for the reception and relief of sick servants, soldiers, and of poor people in general, who have suffered hurts, or who have to undergo any chirurgical operation, as affording essential relief to the distressed, is also well deserving of attention.

A circumstance remains to be mentioned, of an opposite tendency from those we have hitherto mentioned, namely, the almost total change which has taken place of the liquors used by the commons. Formerly, a species of malt-liquor, called *Twopenny*, was their chief, if not their only drink. When the duty on twopenny was first extended over the parishes adjacent to Edinburgh, its neat produce, from 1st July 1723, to 1st July 1724, amounted to L.7939 : 16 : 0 Sterling. Ever since it has been gradually decreasing; and, although the number of inhabitants is now probably doubled, it amounted, A. D. 1776, to no more than L.2197.

Instead of malt-liquor, the lower class of inhabitants have betaken themselves to tea and *whisky*. The first of these, to

	Deg.	Min.		Deg.	Min.
January,	34	7	July,	58	9
February,	36	7	August,	58	1
March,	38	1	September,	52	6
April,	44	2	October,	46	2
May,	50	6	November,	40	5
June,	55	1	December,	38	0

The highest that the thermometer commonly rises to in the hottest days of summer is 75, sometimes 77 degrees; it was once observed at 81. The lowest that it usually falls to in winter is 17; it has been observed at 12, but never lower. This, however, being in a thermometer of spirit of wine, 12 degrees in it corresponds with about 9 of a mercurial one.

The medium depth of rain at Edinburgh is about 26 inches annually; the greatest depth about 32 inches, the least 23.

people who are not able to afford generous diet, and liquors, cannot be esteemed wholesome. The last is equally pernicious to health and to morals; yet, the use of that destructive spirit is increasing among the common people of all ages * and sexes, with a rapidity which threatens the most important effects upon society.

* It is needless to descant upon the tendency of this evil. It is of so important a nature as to require the active hand of government to root it out, before the pernicious example of the capital spreads itself over the country. Besides the licensed stills, which indeed are only eight in number, it is computed that there are in Edinburgh no fewer than four hundred private stills which pay no duty to government, but distil in private, the poison which is afterwards retailed among the inhabitants. This estimate, however, is only conjecture. The following is certain: Doctor Percival expressed his regret, that, in the parish of Manchester, (a district of near 43,000 people,) there † should have been 193 licensed houses, for retailing spirituous liquors. How much more would the Doctor have had occasion to express his concern in the county of Edinburgh, a district which does not contain above 100,000 people, yet in which there are 2000 houses that retail spirituous, and other liquors? The number of 2000 is made up in this manner:

'Houses licensed by the magistrates of Edinburgh, and justices of peace for the county, from A. D. 1777 to 1778, - - - -	1611
'Number of yearly convictions, at a medium, for retailing spirits without license, - - - - - - - -	200
'Number supposed to escape undiscovered, without either paying license, or being convicted, - - - - - -	200
Total	2011

Out of this number, only 159 have taken out licenses for retailing foreign spirits; which is, in other words, *that, out of* 2011 *houses for retailing spirituous, and other liquors, in the city and county of Edinburgh,* 1852 *are destined for the entertainment of the lower class of people.*

Every means ought to be used for lessening the manufacture of whisky. The duty on rum, whose exorbitancy defeats its own purpose, (as thereby a smaller revenue arises to the crown than would flow from a more moderate tax; and as by it also the manufactures of our own island are discouraged,) ought to be, in a great measure, taken off. The duty on ale ought to be lessened, if the deficiency were to be made up from many quarters. A high tax should be imposed on whisky. Private families ought to be prohibited from distilling spirituous liquors for their own consumption, as being a cloak to perjury, defrauding of government, and drunkenness. Public stamps might be imposed upon all stills, or perhaps the government should take them entirely into the hands of their own officers, as they do the stamped paper. By these, or other regulations, it is probable the possibility of smuggling distillation, to any extent, might be cut off. Thus would the consumption of this pernicious spirit be restrained, and no hardship, or just ground of complaint, remain. For, so long as good ale and beer can be had at a moderate price, it can never be the interest of government, nor of humanity, that spirituous liquors should be at the command of the indigent. We are aware of an objection from one quarter, viz. that, if such a change in the mode of taxation were to take place, the landed interest, which is already more oppressed than any other class in the nation, would suffer prejudice. To this it may be answered, in short, that, were the consumption of barley, through the medium of spirituous liquors, restrained, it would naturally revert to its former channel, of being used in beer and ale. But if, after all, the landholders and farmers were likely to suffer detriment, their interest might be provided for, by laying an *embargo upon the importation of barley*, whenever it falls below a certain price, and *vice versa*; a measure which, notwithstanding the clamour that has been raised against it, would be productive not of partial, but of general benefit.

† Percival's Essays, p. 54, 56.

Having considered those circumstances peculiar to the city of Edinburgh, connected with health, we shall now state the other grounds upon which we estimate the number of persons in a family.

The number of persons in a family must chiefly depend upon the station and pursuits of a people. For instance, it is evident the disproportion must be great between the number of persons in a family in the parish of St James's, and in a remote village in the north; because, in the former, the families belong to men of splendour and opulence; but, in the latter, no retainers are necessary to the family; none are suffered to remain within it, whom the master is not bound to support. As the number of tradesmen and mechanics bears a much greater proportion to persons of better rank and more liberal pursuits in London than in Edinburgh, we are led to suppose that there are more persons in a family in the latter city then in the former.

As Edinburgh is not considerable for trade, but depends chiefly for its support upon the college of justice, the seminaries of education, and the inducements which, as a capital, it affords to genteel people to reside in it, these circumstances must occasion the respective families to be pretty numerous. The manner of living also has become more genteel, and the increase of wheel carriages must augment the number of domestics.

As many young people resort to Edinburgh for their education, these, by boarding in different houses, tend to raise the number of persons in a family. The great advance in the expence of boarding is likewise conducive to the populousness of Edinburgh; for country gentlemen, (even of good Scots fortunes), who have numerous families, find their account in residing in Edinburgh with their children during the time of their education.

All the chairmen, most of the porters and servants in Edinburgh, come from the Highlands. This affords a supply of healthy and robust people. By classing the two former into married and unmarried, we will find, that this circumstance tends to make the number in each family greater than if they were all married persons; for those who are single live in family with the married, and commonly work as their journeymen.

Every thing considered, we are led to fix the number of persons in a family in Edinburgh *at six in each*.

Before proceeding to ascertain the number of inhabitants, according to this standard, it will be necessary to make some remarks upon the calculations of Maitland and Doctor Price. Maitland has grounded his calculation of the inhabitants of Edinburgh upon the bills of mortality. We rest upon the

survey of the number of houses. Maitland supposed the twenty-eighth part of the inhabitants to die yearly; in which, probably, he was not much mistaken. He took into his computation the whole parish of St Cuthberts, (then almost entirely a country parish, and the largest in Scotland.) Having multiplied the number of burials by 28, he found the City, Canongate, St Cuthberts, &c. in A. D. 1747, to contain 50,120 inhabitants; which, the number of families being 9064, made about $5\frac{1}{2}$ persons in each.

Doctor Price being personally unacquainted with the state of Edinburgh, has, from different parts of Maitland's data, deduced inferences equally erroneous and important. The Doctor has observed, that the total number of families in Maitland's district, amounted to 9064. He also found, that, from an actual and accurate survey of the parish of St Cuthberts, the number of persons to a family were $4\frac{1}{10}$ each. The Doctor not knowing that St Cuthberts was then almost entirely occupied by farmers, cottagers, and the lowest mechanics, judged the parish of St Cuthberts to be a proper ratio, by which to calculate the number of inhabitants over all the city. Accordingly, multiplying 9064, by $4\frac{1}{10}$ he discovered the number of inhabitants to be 37,162. Then, supposing the register of burials to be just, he found the annual proportion of deaths to the number of inhabitants to be as one to $20\frac{3}{4}$, thereby making Edinburgh, perhaps, the most mortal city in Europe. This erroneous deduction plainly proceeds, *1mo*, From Dr Price's not knowing that St Cuthberts was a country parish; and, *2do*, To his not adverting to the circumstances that raise the number of persons in a family higher in Edinburgh than, perhaps, in any part of the kingdom.

An accurate survey of the number of houses in Edinburgh, Leith, &c. was taken A. D. 1775, for the purpose of collecting the road money, payable by each family. In this survey the houses were divided into three lists; inhabited houses, that is, each set of apartments occupied by a separate family; empty houses; and shops, *i. e.* shops to which no houses were possessed along with them.

In this survey, every house was distinguished by its local situation, by the name of the possessor, (if occupied), and was arranged in its proper class. In this manner no houses could be admitted which had not an existence, at the same time that many families living in the narrow alleys and dark stairs in the Old Town, must have escaped the observation of the surveyors. Such oversight behoved to be greatly encouraged by the artifice of a set of low people, who, abhorring the surveyors, industriously avoided them, shut doors and windows at their approach, and got their neighbours to represent

their houses as unoccupied, in order to avoid paying of the miserable pittance of road-money.

The number of separate families then in Edinburgh, Leith, and their environs*, as ascertained by the survey A. D. 1775, amounted to 13,806, which, multiplied by six, gives the number of inhabitants to be 80,836.

But there are a number of people in the city of Edinburgh who do not reside in private families, who thereby are not comprehended in the above calculation, and of whom it may be difficult to say, how far they ought to be added to it. Of these, the chief are the garrison of the castle, and those who are supported in the different hospitals and poors-houses. It is evident that the garrison, and others in the castle, (who are, at a medium, about 600,) being in no ways blended with those in the former calculation, falls to be added to it. It seems equally clear, that those of the Royal Infirmary, who, at a medium, are upwards of 150, must not be added to the number, as the patients are mostly individuals reckoned in the former list, but who are removed to the Infirmary by reason of occasional distress. About 650 people are constantly maintained within the Charity Work House. In the other hospitals and poors-houses in the city and suburbs, there may be about 600 more Of these, perhaps, a third may be the children of inhabitants reduced to poverty, and are therefore to be held comprehended in the calculation founded on the survey of families. The remaining two-thirds are either elderly people, borne down by poverty and disease, who have no friends nor families, or orphans, who fall to be added to the former list. It appears, therefore, that, on account of the Castle garrison, and of the hospitals, and poors-houses in Edinburgh, 1400 may be added to the list of inhabitants already calculated from the survey of the number of families.

* The places comprehended in this enumeration, are the city of Edinburgh and all its suburbs on the west and south, within the respective toll bars. On the east, the Abbey Hill, Jock's Lodge, and Restalrig. Beyond the New Town, the villages of Broughton and Picardy, the towns of South and North Leith, and the east and west roads to Leith. Such part of the city of Edinburgh, as constitutes the royalty, and also the Canongate, and South and North Leith, pay cess, or land tax, to government, *as the city of Edinburgh.* The amount of cess paid for the city to the Receiver General, when the land tax is at 4s. in the pound, is L.2849 : 10 : 4. The sum levied from the inhabitants for the purpose, is L. 3455, a sum not unreasonable, considering the trouble and expence of collecting. This estimate is made out, by reckoning 1s. 4d. to be exacted upon the pound Sterling of valued rent, which is less, by a minute fraction, than the sum actually levied. The valued rent of Edinburgh, within the royalty, Canongate, South and North Leith, being L. 51,825 : 3 : 9 Sterling. As to the real rent, according to the observations we have formed, it appears to be *a half more than the valued,* or L. 77,737 : 15 : 7½ ; but, if we shall estimate the real rent of the whole other places comprehended in our enumeration, viz. the suburbs on the south and west, Broughton, the roads to Leith, &c. at L.14,000 the whole real rent of Edinburgh, Leith, and their respective environs, will be L. 91,737 : 15 : 7½.

There, perhaps, are no articles so essential to the convenience of a great city, as the supplies of fuel and water. No city of its bulk, in modern Europe, is better furnished with these articles than Edinburgh. At all times of the year, pit-coal, of the best quality, may be purchased at the citizens' doors at five-pence the hundred weight. The manner in which the city has been supplied with water, deserves to be particularly described.

From the number of inhabitants which must have been in Edinburgh in the last century, it is difficult to conceive how they were accommodated with water. There is no mention of the supply of this article, earlier * than A. D. 1621. In that year, an act of parliament was passed, setting forth, that the magistrates of Edinburgh were about to bring in water to the city from a distance, giving them liberty to cast *seuchs and ditches*, in the lands through which it behoved the water to pass, and requiring the privy council to ascertain the damages, payable to the different proprietors, on account of the breaking of their ground. But notwithstanding this act, it does not appear, that in consequence of it, any measures were taken to bring water into the city till the year 1674. At that time the magistrates undertook to bring † water in leaden pipes, from a fountain some miles distant. The engineer employed for this purpose was Peter Bruschi, a German. The lords of the privy council issued a mandate, prohibiting all persons from impeding the work, and threatening, with the highest penalties, those who should lift or demolish the pipes or cisterns. Soon after, an act of parliament was passed for protecting ‡ the fountains and conduits, and enforcing the orders of the privy council.

The town council agreed to pay to this German L.2950, for bringing, in a leaden pipe of three inches caliber, water from Comiston, about four miles west from the city, to a reservoir to be made on the Castle-hill. Thence the water was to be distributed through the town by pipes, conveying || it to five public wells; and these not being found sufficient, five more were quickly erected at an additional expence. That the city's funds might not be applied to a purpose so beneficial to the inhabitants, the magistrates endeavoured to obtain the authority of parliament for imposing upon the citizens a tax, by way of *hearth-money*, to defray the expence. Happily they were disappointed in this scheme of oppressive exaction, a circumstance not a little extraordinary in the reign

* James VI. parl. 23. Unprinted acts, No 6.

† Records of Privy Council, No, 3. p. 167. 3d September, 1674. Watson's History of Printing.

‡ Unprinted acts, Charles II. parl. 3. sess. 1. No. 8. September 17, 1681.

|| Maitland's History, p. 205 206.

of Charles II. Soon after, new springs were added to the fountain. The town council making an agreement with the proprietor of the ground for the use of the water; and the pipe was found to be too small for conveying to Edinburgh the streams collected at the fountain. Upon this, a new pipe of four inches and a half diameter, was begun to be laid, but was not completed for many years: and, when finished, it was found to be much too large for the supply of water.

In order to the city's being more amply furnished with so necessary an article, an act was passed, enabling the magistrates to purchase any springs south from the fountain at Comiston, lying within three miles of it, and to bring the same by pipes through the interjacent grounds into the fountain or city *. The sheriff of the county was, at the same time impowered to fix, with the assistance of a jury, the price to be paid for such springs, or for the privilege of laying the pipe through the respective lands. In consequence of this act, certain springs in the lands of Swanston, were pitched upon as the most proper to be brought into the fountain; but notwithstanding the act of parliament, it was not, till after a contest with the litigious proprietor had been settled with the House of Lords, that the town made effectual their right to these springs. While this dispute was agitated between the magistrates and the proprietor of Swanston, the former were attemping to impose a burden upon their constituents, of which the clandestine proceedings of the magistrates sufficiently betrayed, their consciousness, that the burden they meant to impose was unjust and unnecessary. From the votes of the House of Commons, it was discovered that the magistrates of Edinburgh had, on pretext of the expences they would incur, by bringing an additional spring of water into the city, applied for leave to bring in a bill for levying from the inhabitants, no less than 6d *per* pound, on the whole real rents of the city. Instantly, upon this discovery a combination was formed among the citizens, for opposing the bill; and that, upon two grounds, that the city was possessed of sufficient ordinary revenues to enable them to defray this additional expence; and, that the sum proposed to be laid upon the inhabitants, under colour of bringing in water, was, beyond parallel, enormous. In the course of their opposition, they demanded, that, by a candid exhibition, and strict inquiry into the state of the city's revenue, it might be seen, whether they had funds sufficient for the proposed purpose. This demand was not relished on the part of the magistrates, who, after all these instances, and the extraordinary measures which were taken to occasion an artificial scarcity, were obliged to

* George II. an.

abandon the proposed taxation; yet found means to carry on the work without any additional aid.

The consumption of water has, of late, been considerably augmented, by the great increase of inhabitants and buildings, together with a very considerable number of private pipes, which are given, at their request, to any of the inhabitants who are willing to pay for them. These circumstances had again occasioned a scarcity of water, especially in the autumn, when the springs are most scanty. A very simple alteration, suggested by Bailie Cleghorn, one of the present magistrates, a person who has bestowed great attention upon the state of the city's conduits and fountains, has now rendered the supply of water abundant.

The cistern of Comiston receives five distinct streams from as many pipes, collecting the water from different, and distant fountains. These, when at the fullest, discharge into the cistern at Comiston is from 800 to 900 Scots pints, or almost seven hogsheads a minute; when, at the lowest, from 150 to 170 pints. From Comiston, the water is brought in a leaden pipe of four inches and a half caliber, to the reservoir upon the Castle Hill of Edinburgh, the highest part of the city, yet, at the same time, forty-four feet beneath the level of the water at Comiston. Thence, by public wells, and private pipes, it is distributed through the city. Besides a small pipe which is taken off the large one to supply Heriot's Hospital with water, the main pipe, when full at the fountain head, discharges into the reservoir at the Castle Hill about 210 Scots, pints in a minute; whereas, till the late alteration made by Mr Cleghorn, it never discharged above 170. Had not this improvement taken place, an additional pipe was to have been laid, which would have cost the city about five or six thousand pounds. This reservoir contains 149,427 Scots pints, or 291 tons, 3 hogsheads, 6 gallons, and 3 pints. Besides this water, which in its quality is excellent, there are many pit-wells in Edinburgh; and the foot of the Canongate is supplied by a pure stream brought from Arthur's-seat.

Few towns are more commodiously situated than Edinburgh in respect of its supply of provisions, and the moderateness of their prices. In the following account of the consumption and prices of provisions, we neither were able, nor did we judge it necessary, to give a table of the different articles for an equal period of time. The quantity of wheat made into flour at the mills on the Water of Leith, is supposed, according to the best information that we could procure, to be 100,000 bolls yearly.

This wheat is mostly all consumed in Edinburgh, Leith, and their environs. The quantity has of late been upon the decrease, owing to this circumstance, that, till within these

few years, the flour-mills in Scotland were so scarce, that both flour and baked bread were sent from Edinburgh to many parts of the country. Now, there is hardly any sent either of the one or the other; nay, there is a quantity of bread brought daily to Edinburgh, which has been prepared at the distance of six or more miles from the town.

We have not been able to ascertain, to our own satisfaction, the quantity of oat, barley, and peas meals made use of in Edinburgh. This is owing partly to the extreme reluctance with which the clerks in some of the markets were prevailed upon to give us any information respecting the extent of the commodities brought to their respective markets, and to the interest they had in representing the quantities as less than they really were; partly to a considerable proportion of the oat meal that is brought to Edinburgh market being bought up there for the use of the neighbouring counties. But upon the whole, we are led to conjecture the quantity of oat, peas, and barley meals consumed in Edinburgh, and the suburbs, at 20,000 bolls yearly.

Quantity of Butcher Meat used in Edinburgh from A. D. 1773 *to* 1777.

	Oxen.	Calves.	Sheep.	Lambs.
From 1773* to 1774 .		6572	39428	38295
From 1774 to 1775 .	8354	6792	35370	47360
From 1775 to 1776 .	8836	7355	42550	61270
From 1776 to 1777 .	9022	7350	41332	65790
Killed in Leith market from 1776 to 1777 . .	1069	955	7880	12286
Total killed in Edinburgh and Leith from 1776 to 1777	10,091	8305	49212	78076

Besides these, a market for butcher meat has lately been set up in Chapel Street, where, it is supposed, there are about 150 black cattle, 350 sheep, as many lambs, and about 100 calves, sold in a year. The other flesh markets in the county of Edinburgh are those of Dalkeith and Musselburgh. The cause of our not being able to ascertain the number of hogs used in Edinburgh market is, that the account already given of all the cattle is taken from the number of hides; now, the skins of hogs not being separated from their carcases, we have no ground for ascertaining their number.

It is impossible to estimate the quantity of poultry, or game, used in Edinburgh. The latter is excellent, and is to be had

* The account of oxen is kept from May to May; that of Sheep, lambs, &c. from January to January.

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in great plenty and variety. Of the former, such as is sold in the market, is very bad; but by far the largest and best part of the poultry used in Edinburgh, is that which is sent to the landed gentlemen from their estates in the country, or what is picked up in the country by carriers, and other dealers in poultry, and brought to Edinburgh, and sold on their own account.

From the near neighbourhood of the Forth, it might be expected that Edinburgh might be supplied with every variety of fish. This, however, is by no means the case. It perhaps may, in some measure, be owing to the laziness of the fishermen, who will not be at the pains to go out to deep water. But fishing companies have been erected, and large boats provided once and again by private gentlemen, merely with a view to the better supply of the city with fish. But the gentlemen have always tired of the heavy loss and expence which they were ever made to incur from their public spirited attempts. Small haddocks, and small cod, are the fish which most abound in Edinburgh; whitings are to be had, but of a diminutive size. Turbot have, within these two years, been more plenty than formerly; but we cannot help thinking them far inferior to the same species of fish in London, at least to such of them as come from the flats of Holland. Excellent soles are got in the Forth, but they are very rare; herrings are sometimes to be had in such quantities, as to be used as a manure for the ground; mackarel are rare, and exceedingly bad.

We know no place supplied with such variety of excellent shell fish as Edinburgh. Lobsters, crabs, oysters, muscles, and shrimps, are to be had at very reasonable rates. There is such plenty of oysters, that a large quantity is annually exported to the Medway, and other rivers, there to lie and fatten for the London market. But no fish is sold in Edinburgh so useful to the inhabitants as salmon. It is brought chiefly from Perth and Stirling. The markets are supplied with it three-fourths of the year at moderate rates. Except trouts from Loch Leven, no sort of fresh water fish is to be had in Edinburgh; as for carp, and even tench, they are no more to be had than if such fish could not live in Europe. Edinburgh is badly supplied with butter, that sold in the market being, for the most part, both unskilfully and dirtily made; and it is always made up without the smallest mixture of salt. This article, however, is rather improving, and it is extremely cheap when compared with that of London, fresh butter being generally at tenpence per pound, and salt butter at eightpence, the pound consisting of twenty-two ounces. There is no such thing to be had in Edinburgh as the new and

Bath cheeses, which are sold in London. Indeed, there is hardly a bit of tolerable cheese made for sale in Scotland.

Edinburgh is supplied with variety of vegetables at very low prices. Potatoes, the chief article for the poor, are sold during the greatest part of the year at sixpence * a peck, or thereby. Green peas, at the first of the season, are sold for about half a guinea, if the General Assembly be sitting; but if that court be risen, about five shillings per peck; but the average price of them is not above eightpence. The asparagus in Edinburgh is not near so good as in London. Cucumbers and melons are not plentiful; far less are peaches, apricots, and nectarines, neither of which ripen fully upon a common wall. Even the apples which are brought to market from the neighbourhood are unfit for the table; there are, however, very good pears. Some pine apple are sold in the fruiterers shops; of these a few are raised in the neighbourhood; but most of them are brought from York, where they can be had much cheaper. The small fruits in Edinburgh are more plentiful, and of a far superior quality. The strawberry, in particular, we not only think superior to those in England, but almost to any other fruit we ever tasted. There is an account kept of the small fruit sold in Edinburgh, for the purpose of collecting a trifling duty payable to the town. But as a considerable part of the fruit is smuggled into town without paying any duty, and that sent in presents to families is not liable, we conclude, that, besides the large quantities consumed within the gardens in the neighbourhood, one fourth more ought to be held as consumed within the town, than what is contained in the following table.

Quantity of strawberries, gooseberries, and cherries, sold in Edinburgh market, as ascertained by the book of public custom payable at the fruit market.

A. D. 1777, Scots pints of strawberries .	28,725
Scots gallons † of gooseberries . . .	6836
Scores of cherries	78,840

The average price of strawberries is eightpence per pint; therefore, reckoning a fourth more to be consumed than what is entered, as paying duty, the value of strawberries used in Edinburgh A. D. 1777, will be L.1198 : 6 : 0.

The quantity of wines imported will be found in that part of our history which treats of the town of Leith. We cannot

* The peck of potatoes contains 24 lib. Troy weight. Green peas are sold in Edinburgh in the pods; the dimensions are the same with those of the potato peck.

† It has been already observed, that a Scots gallon is nearly equal to sixteen English quarts.

ascertain how much is consumed in Edinburgh; but the quantity, particularly of claret, must be considerable, as hardly any other liquor is called for after dinner in taverns; and in private houses, where the entertainment is tolerably genteel, claret is commonly drunk. The port, at the same time, is excellent of its kind, not resembling the adulterated trash sold under that name in England. Good rum may be had, and bad also; for the distillers of whisky in Edinburgh have attained to the impudence of being professed dealers in rum, and as such, sell to the people, at 8s. per gallon, a spirit, which, if it were stripped of *the name* of rum, would not fetch 2s. But no spirit, sold in Edinburgh under a foreign name, is universally of so bad a quality as the brandy, since, except from a few of the principal wine merchants, not a genuine drop is to be had. The strong beer brewed in Edinburgh by Mr Bell, and its excellent quality, have already been spoke of. Porter is also brewed in Edinburgh: but it is a different liquor from London porter, and greatly inferior to it; accordingly, a considerable quantity of that liquor is annually imported from London.

In the following table of the present prices of provisions *, it must be observed, that the different articles are set down at the highest rates, atrates, which, by the generality of the inhabitants, would be deemed extravagant; for we were favoured with this table by the keeper of the principal tavern in Edinburgh, who is under a necessity of buying the rarest things, be their prices what they may.

* The pound by which butcher-meat is sold in Edinburgh, contains 17½ oz. English.

Prices of Butcher Meat, Poultry, Wild Foul, Fish, &c. in Edinburgh, for the first six months of the Year.

	January.	February.	March.	April.	May.	June.
Beef, *per* pound	3½d. to 2½d.	Ditto	4d. to 3d.	Ditto	Ditto	4½d. to 3d.
Mutton, *per* pound	4d. to 3½d.	Ditto	4½d to 4d.	Ditto	4d. to 3¾d.	4½d.
Veal, *per* pound	4½d. to 6d.	Ditto	4d to 5½d.	Ditto	3½d. to 5d.	Ditto
Pork, *per* pound	4d. to 4½d.	4d. to 4½d.	4d. to 4½d.	Ditto	3½d. to 4d.	Ditto
Lamb, *per* quarter	5s. 6d.	5s.	4s.	3s. to 2s. 6d.	2s.	1s. 8d.
Fowls, *per* pair	2s. 6d. to 3s.	Ditto	2s. to 4s. 6d.	2s. to 4s.	2s. to 3s. 10d.	3s. 6d.
Ducks, *per* pair	2s. to 2s. 6d.	Ditto	Ditto	4s.	3s. 6d.	3s. to 2s.
Chickens, *per* pair			1s. 8d.	Ditto	1s. 4d.	1s. 2d.
Pidgeons, *per* pair			8d. to. 10d.	Ditto	6d. to 8d.	5d. to 6d.
Partridges, *per* pair	1s. to 1s. 8d.					
Muirfowl, *per* pair						
Wild Ducks, *per* pair	3s. to 3s. 6d.	3s. to 3s. 6d.	2s. 6d. to 3s. 6d.	Ditto	Ditto	
Pig, *per* piece	3s. to 3s. 6d.	Ditto	Ditto	Ditto	Ditto	Ditto
Goose, *per* piece	3s.	2s. 3d. to 3s.	Ditto	2s.	3s. 6d.	3s.
Turkey, *per* piece	4s. 6d. to 7s.	Ditto	4s. to 6s.			3s. 6d.
Wild Goose, *per* piece	2s. to 3s.	Ditto	Ditto	Ditto		
Salmon, *per* pound	10d. to 1s.	Ditto	8d. to 10d.	Ditto	Ditto	6d. to 8d.
Cod, *per* piece	3s. 6d.	Ditto	3s. 6d. to 5s. 6d.	Ditto	3s. to 4s.	2s. 6d. to 3s. 6d.
Soles, *per* pair				2s. to 3s. 6d.	2s. to 4s.	Ditto
Haddocks, *per* dozen	1s. 6d. to 3s.	Ditto	1s. 6d. to 2s. 6d.	1s. to 2s. 6d.	Ditto	1s. to 1s. 6d.
Whittings, *per* dozen	1s. 6d. to 3s.	Ditto	1s. to 2s.			
Turbot, *per* piece			3s. to 9s.	Ditto	Ditto	2s. to 7s.
Lobster, *per* piece	6d. to 1s. 2d.	Ditto	Ditto	6d. to 1s.	Ditto	4d. to 8d.
Crab, *per* piece	1d. to 3d.	Ditto	Ditto	Ditto	Ditto	Ditto
Herrings, *per* dozen				4d. to 9d.		6d. to 9d.
Shrimps, *per* Scots pint			2s.	Ditto	1s.	Ditto
Smelts, *per* 100			1s. 6d. to 3s.	Ditto	Ditto	
Oysters, *per* 100	8d. to 1s.	Ditto	Ditto	Ditto		

Prices of Butcher Meat, Poultry, Wild Fowl, Fish, &c. in Edinburgh, for the last six months of the Year.

	July.	August.	September.	October.	November.	December.
Beef, *per* pound	4d. to 3d.	3½d. to 2½d.	Ditto	Ditto	Ditto	Ditto
Mutton *per* pound	4d.	4d.	4d. to 3½d.	3½d. to 3d.	3d.	3½d. to 3d.
Veal, *per* pound	3½d. to 5d.	4d. to 5d.	Ditto	4½d. to 5d.	Ditto	4½d. to 5½d.
Pork, *per* pound				3½d. to 4d.	Ditto	4d. to 4½d.
Lamb, *per* quarter	1s. 4d.	1s. 3d.	1s. 6d.	1s. 2d.		
Fowls, *per* pair	2s. to 3s. 6d.	2s. to 3s. 6d.	Ditto	2s. to 3s.	2s. to 3s. 6d.	2s. to 4s.
Ducks, *per* pair	2s. to 2s. 6d.	2s. 4d.	Ditto	2s.	Ditto	2s. to 2s. 6d.
Chickens, *per* pair	1s.	1s. 4d.	Ditto	Ditto	1s. 2d.	Ditto
Pidgeons, *per* pair	4d. to 9d.	4d. to 5d.	5d. to 6d.	Ditto	Ditto	6d. to 7d.
Patridges, *per* pair			1s. to 1s. 6d.	Ditto	Ditto	Ditto
Muirfowl, *per* pair		3s. to 4s.	2s. 6d. to 2s. 6d.	2s. 4d. to 3s. 4d.	Ditto	Ditto
Wild Ducks, *per* pair					2s. 6d. to 3s. 6d.	Ditto
Pig, *per* piece	3s. to 3s. 6d.	Ditto	Ditto	Ditto	Ditto	Ditto
Goose, *per* piece	3s.	Ditto	Ditto	2s. 6d.	Ditto	3s.
Turkey, *per* piece	3s.	2s. 6d.	4s.	4s. 6d.	4s. 6d. to 6s.	4s. 6d. to 7s.
Wild Goose, *per* piece						
Salmon, *per* pound	6d. to 8d.	4d. to 6d.				10d. to 1s.
Cod, *per* piece						
Soles, *per* pair	2s. to 4s.					
Haddocks, *per* dozen	1s. to 1s. 6d.				1s. to 2s.	1s. to 2s. 6d.
Whitings, *per* dozen					1s. 6d.	2s.
Turbot, *per* piece						
Lobster, *per* piece	4d. to 8d.	Ditto	Ditto	Ditto	1s.	6d. to 1s. 6d.
Crab, *per* piece	1d. to 3d.	Ditto	Ditto	Ditto	Ditto	Ditto
Herrings, *per* dozen	6d. to 9d.	Ditto				
Shrimps, *per* Scots pint	1s.	Ditto	Ditto	Ditto		
Smelts, *per* 100			1s. 6d. to 3s.	Ditto	Ditto	
Oysters, *per* 100						

CHAPTER II.

Of Houses for the Reception and Entertainment of Strangers, and of the Amusements and Public Diversions of Edinburgh —Of the Royal Company of Archers—The Company of Golfers—The Society of Bowlers—The Company of Hunters —The Stage—The Concert—The Assembly—Card Assembly —Comely Garden.

THERE is no circumstance which contributes so much to impress strangers with a good opinion of the city of Edinburgh as the number and elegance of the hotels, and the excellence and cheapness of the taverns and eating-houses. Formerly it was a reproach to this metropolis, that the only houses for the reception of strangers were the public inns, which, as in London, were noisy, dirty, and incommodious. To avoid the inconvenience of these, when a person meant to reside for any time in town it was necessary to resort to private lodgings, in which, indeed, he might find quiet, and a decent accommodation, but could hardly expect either elegance or much convenience. Of late years there is, in these respects, a most remarkable change. There are a number of hotels in which strangers of any rank may find accommodation suited to their wishes; and that upon very reasonable terms. Several of these hotels, particularly those in the New Town, are not inferior in the variety and elegance of their apartments and furniture to the hotels of London. Besides these, private lodgings are to be had in every quarter of the city.

The inns, which are chiefly in the suburbs, are likewise greatly improved within these few years. The superior convenience and splendour of the hotels has stimulated the innkeepers to a very laudable exertion in improving their houses in point of cleanliness, convenience, and readiness of service.

In London, where a great part of the community may be said to eat in public, (though not in the manner of the ancient Spartans), every street abounds in eating houses, cook's shops, chandler shops, and coffee houses, which are a species of tavern. In Edinburgh, the stile of manners is considerably different; and the man of business, the sober citizen, and industrious mechanic, find superior comfort in a domestic meal, to the tumultuous, and generally unsocial, table of an eating house. In this respect, however, a stranger is at no loss. Every hotel furnishes to its lodgers breakfast, dinner, and supper: And most of the coffee houses are likewise, in the

stile of those of London eating houses, where, at the common hours of repast, a stranger is sure of finding well dressed victuals, and, in general, excellent wine. A stranger who lives in private lodgings, if he does not choose to board with the family, is supplied at an easy rate from these coffee houses, or from the taverns, with any thing that he requires for the table *.

In no city of Europe are the markets of every kind better supplied than those of Edinburgh, nor are the prices to be at all complained of as immoderate. This will appear from the account that has been already given in the table of provisions in the preceding chapter, which exhibits to the eye both the great variety of all the articles of provision, and the prices at which they are sold. Accordingly, the tables of the citizens, or middling rank of people in Edinburgh, are more plentiful, and shew much greater variety than those of the same rank in London; and men of moderate fortune, choosing to reside in this metropolis, find that they can command luxuries of the table, which in London they would scarcely find within the reach of double the same income. This has been confessed by all strangers; and the proof of it is seen not only in the private tables of the inhabitants, but in the entertainments furnished in the taverns.

An Edinburgh tavern, (if a good one) is the best of all taverns. The custom of charging so much for every dish is not known in Scotland: The rule is, so much per head. It cannot fail to surprise an Englishman to see two complete courses, containing every thing nice in season, and frequently a desert of excellent fruits, at the rate of half-a-crown a head. But the great article from which the landlord expects his profit is the wine, which is there drank in much greater quantities than in England.

The tavern is much frequented in Edinburgh, although by no means to such a degree as formerly. Within these fifty years, hardly any sort of business was transacted but in a tavern.

In Edinburgh there is a species of taverns of a lower denomination, which, however, are sometimes resorted to by good company, when disposed to enjoy a frolic. These are the oyster cellars, a sort of ale houses, where the proper entertainment of the house is oysters, punch and porter; but where a supper may be had, upon warning, equal to any in the taverns. Most of these oyster cellars have a sort of long-room, where a small party may enjoy the exercise of a country dance, to the music of a fiddle, harp, or bag-pipe. But the equivocal

* For many peculiarities in the modes of living, and manners of the people of Edinburgh, see three letters in Appendix, No. 13.

character of these houses of resort prevents them from being visited by any of the fair sex who seek the praise of delicacy, or pique themselves on propriety of conduct.

In the capital taverns there are wines to be had of every kind, and of the best quality. The claret is in general excellent, and equal to any that is to be had in London. It has been remarked that the London claret is stronger than that which is commonly drank in Scotland. Its strength is not its own, but is given to it by the merchant, who knows the palate of those with whom he deals. But the Scotch claret is more genuine, and has a superior flavour, which recommends it to every person of taste. Of this some of the English connoisseurs have of late become sensible, and have commissioned their claret from Leith.

It has been complained, and with some reason, that, in the taverns of Edinburgh, justice is not done to the consumer in the measure of the bottles, which are often * greatly under the standard.

The amusements and public diversions in Edinburgh, may be divided into such as are connected with bodily exercise, and practised without doors; and those which are performed within doors, whether the latter consist in viewing of spectacles, in playing at games of chance, in music, or in dancing. Of the former, that of archery is the most eminent, whether we respect its ancient importance, or the marks of public distinction bestowed upon the company, which now exercises that amusement.

Of the Royal Company of Archers.

By the invention of gun-powder, the bow, which, in most nations of the world, civilized as well as barbarous, was the principal implement of war, came to be entirely superseded as a military weapon; and the expertness of archers, which formerly decided the fate of battles and of empires, can now atchieve no greater enterprize, than to carry off the palm in a gamesome and bloodless contest.

In both the united kingdoms, the importance of archery, in former times, is evinced by the anxiety to encourage it, manifested in the public statutes. In both, it was provided, that the importers † of merchandise should be obliged, along with their articles of commerce, to import a certain proportion of

* This is a species of peculation well deserving the attention of the public, more especially as the poorer, who can only afford to buy their liquors in bottles, are the principal sufferers. A fraud of extraordinary magnitude of this sort, was discovered about a year ago; but we do not chuse to be more particular.

† James I. parl. 3. c. 47.; Edward IV. *anno* 12. c. 2. Richard III. an. 1. c. 11.

bows, bow-staves, and shafts, for arrows. In both, every person was enjoined to hold * himself provided in bows and arrows, and was prescribed the frequent use of archery. In both, a restraint was imposed upon the † exercise of other games and sports, lest they should interfere with the use of the bow; for it was intended, that people should be made expert in the use of it as a military weapon, by habituating them to the familiar exercise of it, as an instrument of amusement. As there was no material difference between the activity and the bodily strength of the two people; and, as no remarkable superiority is related of the one over the other in skill of archery, it is probable, that the Scots and English wielded the bow with no unequal ‡ vigour and dexterity. By the regulations prescribed in their statute-book for the practice of archery, we find that the English shot a very long bow, those who were arrived at their full growth and maturity being prohibited § from shooting at any mark that was not distant upwards of two hundred and twenty yards.

In Scotland, a muster, or military rendezvous, called a *weapon-shawing*, was held twice or oftener in the year ||. In the respective counties, people were summoned to it upon a premonition of twenty days, by the sheriff and other civil magistrates, who, in conjunction with commissioners appointed by the king, superintended this body of militia, divided it into companies, and appointed their captains. Those in all stations were obliged to bear their part in this rendezvous, and to appear equipped in military array, conform to their rank. The Lords and Barons were required to give up, to the civil magistrates and king's commissioners, a list of the followers who attended them in this muster, and of the weapons with which they were accoutered, and the commissioners were ordered to make up a roll of the whole, to be laid before the king.

Upon the old laws of weapon-shawing, a plan seems to have been formed by the Jacobitical party, for instituting, under a pretext of sports and recreations, a military corps, which, as occasion offered, might assemble under authority of law.

A society for encouraging and exercising archery had already been formed; had, upon their application, acquired ¶ the patronage of the Scottish Privy Council, and got from them a

* James I. parl. 1. c. 18.; Henry VIII. an. 33. c. 9.

† James, I. parl. 1. c. 17.; James II. parl. 14. c. 64.; Henry VIII. an. 33. c. 9.

‡ From such historical monuments as remain, candour requires us to declare our opinion, that the English were superior to the Scots in archery.

§ Henry VIII. an. 33. c. 9. || James II. parl. 14. c. 64.; James IV. parl. 3. c. 31.; James V. parl. 6. c. 85. c. 89. c. 91.

¶ Minute Book of the Royal Company of Archers, v. 1, p. 1, 3, 7.

prize, to be shot for by the company. They consisted of noblemen and gentlemen of distinction. The Marquis of Athole was their captain-general; and they held frequent meetings during the reign of the royal brothers. For some time after the Revolution, no traces of this company are to be discovered. But, upon the accession of Queen Anne, and death of the Marquis of Athole, they appointed the celebrated * Sir George Mackenzie, then Lord Tarbat, and secretary of state, and afterwards Earl of Cromarty, their captain-general. Having made choice of a leader of such approven fidelity, and powerful interest, the opportunity was laid hold of, to obtain from Queen Anne a charter under the great seal, erecting them into a royal company; reviving and ratifying, in their behalf, † the old laws and acts of parliament in favour of archery; giving them power to admit members, to make choice of a preses and council, to appoint their commanding officers, '*and to meet and go forth under their officers conduct in military* '*form, in manner of weapon-shawing, as often as they should* '*think convenient;*' and prohibiting the civil magistrate from giving them any interruption. These rights and privileges they were appointed to possess after the mode of feudal tenure, and to hold them in fee blench of her Majesty, and her successors, paying therefore an annual acknowledgement of a pair of barbed arrows.

The first time, that, in consequence of this charter, they displayed any military parade, was in A. D. 1714. The critical state of the country, the hopes and fears of opposite factions, aroused by the condition of Queen Anne, whose death was fast approaching, and by the tottering and distracted state of the ministry, seems to have inspired unusual vigour into the company of archers. Their laws were extended upon ‡ vellum, adorned with festoons of thistles, and subscribed by the members. They did not hesitate to ingross in their minute-book, in terms which could || not be misunderstood, that they remembered, on his birth day, the health of an exiled Prince. And, on the 14th of June, the Earl of Cromarty, their captain-general, although then upwards of eighty years of age, and the Earl of Wemyss, as their lieutenant-general, marched at the head of above fifty noblemen and gentlemen, cloathed in uniform, equipped in military § array, and dis-

* Minute Book of the Royal Company of Archers, from p. 41. to p. 49.

† Charter in the archieves of the royal company.

‡ This subscription-roll is divided into five columns of names. These are now filled up to the length of fourteen feet and a half.

|| Archers' Minute Book, v. 1. p. 103, 106.

§ The uniform of the royal company of archers is tartan, lined with white, trimmed with green and white ribbons; a white sash, with green tossels; and a blue bonnet, with a St Andrew's cross. The company have two standards. The first of these bears on one side Mars and Cupid encircled in a wreath of

tinguished by their proper standards, from the Parliament Square to the palace of Holyrood House, thence to Leith, where they shot for the silver arrow given by the city of Edinburgh; and returned in similar parade; having received, from the different guards which they passed, the same honours that are paid to any body of the king's forces. But next year, the Earl of Cromarty being dead, the Earl of Wemyss headed a procession, in which above an hundred of the nobility and gentry assisted.

After the Rebellion 1715, the archers made no parade for nine years. But the Duke of Hamilton being chosen their captain-general, they marched through Musselburgh A. D. 1724, and afterwards occasionally till the year 1743; since which time they have not displayed any public parade.

It is no ways surprising, that this company was looked upon as disaffected to government during the reigns of the first and second Georges. None, indeed, were then admitted into it, who were not supposed to bear an attachment to the house of Stuart. Upon the Cardinal de Tencin having meditated an invasion of Britain in favour of that unfortunate family, this company appointed a Highland chieftain, the head of a powerful and numerous clan, preses of their council; with a view, (as was supposed), of inducing him to raise his followers, and join the Pretender. After the late Rebellion, the officers of state looked upon this society with so jealous an eye, that they actually appointed spies to watch their conduct, and frequent their companies.

The prizes belonging to this company, and which are annually shot for, are a silver arrow, given by the town of Musselburgh, which appears to have been shot for as early as the year 1603. The victor in this, as in the other prizes, has the custody of it for a year, then returns it with a medal appended, on which are engraved any motto and device which the gainer's fancy dictates. There are now a hundred and three pieces appended to this arrow.

The next prize is a silver arrow given to the royal company by the city of Edinburgh A. D. 1709. There are sixty-eight pieces of gold appended to it. The person who wins this prize gets L.5 Sterling from the town of Edinburgh.

The last prize belonging to this society is a silver punch bowl of about the value of forty pounds, made at the expence of the royal company A. D. 1720. To this bowl fifty-eight pieces are appended.

thistles, with this motto: '*In peace* and war.' On the other, a yew tree, with two men dressed and equipped as archers, encircled as the former motto: '*Dat gloria vires.*' The other standard displays on one side, a lion rampant gules, on a field, or encircled with a wreath; on the top, a thistle and crown, motto: '*Nemo me impune lacesset.*' On the other, St Andrew on the cross on a field argent; at the top, a crown, motto: '*Dulce pro patria periculum.*'

The affairs of this company are managed by a preses and six counsellors, who are chosen annually by the whole members. The council are vested with the power of receiving or rejecting candidates for admission, and of appointing the company's officers, civil and military.

This society had dwindled very much till within these few years, when it was revived merely by the attentions of the late Mr St Clair of Roslin, and the respect which was universally entertained for him. It now consists of about three hundred members, among whom are most of the Scottish nobility of the first distinction. The company meet weekly during the summer season in Edinburgh, in the Meadows, where they exercise themselves in shooting at butts, or rovers. The want of a house of their own in the neighbourhood of the field being found inconvenient, the company *feued* from the town of Edinburgh about an acre of ground on the east end of the Meadows, for which they pay a feu-duty of L.12 a year, and double that sum as entry money every twenty-fifth year. Upon this area they began to build in August 1776. * The house which they have reared consists of a hall, forty feet by twenty-four, and eighteen high; two rooms of eighteen by nineteen, besides kitchen, cellars, lobby, and other apartments. The ground behind the house is laid out into a bowling-green. To defray the expence of this building, the company had only a stock of L.800; the rest has been raised by subscription among the members; the expence of the whole amounting to about L.1200.

Of the Company of Golfers.

Golf is, in so far as we know, a game peculiar to the Scots. Among them it has been very ancient; for there are statutes prohibiting † it as early as the year 1457, lest it should interfere with the sport of archery. It is commonly played on rugged, broken ground, covered with short grass, and bents in the neighbourhood of the sea shore. A field of this sort is in Scotland called *links*. The game is ‡ generally played

* The foundation-stone was laid by William St Clair of Roslin 15th August 1776. Beneath it was put a medal, with this inscription: 'Has aedes, cohorti 'regiae sagittariorum proprias, condidit G. S. R. concilii pharetrati praeses, 17. Kal. Sept. A. P. C. N. 1776.

'Nulla Caledoniam gens unquam impune lacesset,
'Usque saggittiferis robur et ardor inest.'

† James II. parl. 14. c. 64.

‡ A gentlemen who published letters concerning the *diversions, customs, &c. of the Scots*, written during his residence in Edinburgh A. D. 1775, has been pleased to make the top of Arthur's Seat, and those of the other hills in the neighbourhood of Edinburgh, fields for the game of the golf. This observa-

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in parties of one or two on each side. Each party has an exceeding hard ball, somewhat larger than a hen's egg. This they strike with a slender and elastic club, of about four feet long, crooked in the head, and having lead run into it, to make it heavy. The ball being struck with this club, will fly to the distance of 200 yards, and the game is gained by the party who puts his ball into the hole with the fewest strokes. But the game does not depend solely upon the striking of the longest ball, but also upon measuring the strength of the stroke, and applying it in such direction as to lay the ball in smooth ground, whence it may be easily moved at the next stroke.

To encourage this amusement, the city of Edinburgh, A. D. 1744, gave to the company of golfers a silver club, to be played for annually by the company, the victor to append a gold or silver piece to the prize. It has been played for every year since, except the years 1746, 1747. There are now appended to it thirty-one silver balls, bearing the names of the respective conquerors.

For their better accommodation, twenty-two members of the company subscribed L.30 each, in the year 1768, for building a house, where their meetings might be held. The spot chosen for this purpose was the south-west corner of Leith Links, where an area was taken in feu from the magistrates of Edinburgh. As this society is not a body-corporate, this property was vested in Mr St Clair of Roslin, Mr Keith of Ravelston, and Mr W. Hog, junior, banker, for behalf of the whole subscribers. The annual feu-duty payable by them to the town of Edinburgh is 20 shillings; but in case the house should be occupied by any but the company of golfers, L.6. Upon this area a small commodious tavern is built, and behind it there is a bowling-green.

Of the Society of Bowlers.

Bowling must also be reckoned among the amusements of Edinburgh. Certain gentlemen were erected into a society for keeping up this amusement by a *seal of cause* *, granted

tion is still more unfortunate than the general train of his remarks. Were a person to play a ball from the top of Arthur's-seat, he would probably have to walk upwards of half a mile before he could touch it again; and we will venture to say, that the whole art of man could not play the ball back again. When speaking of these letters concerning Edinburgh, it is our duty to observe, that they appear to have been composed merely for the amusement of the author. They are written with spirit and impartiality. But the facts and criticisms contained in them are, for the most part, equally ill founded. Yet so candid is this author, amidst his errors, that it is hard to say whether he is more erroneous when he speaks in praise or censure of the Scottish nation.—*Topham's Letters.*

* A seal of cause is the name bestowed upon those deeds of the town council, by which they erect certain companies within their privileges into bodies-

by the magistrates of Edinburgh, 15th November, 1769. This society, immediately upon its erection, took from the governors of Heriot's Hospital a lease of the bowling-green belonging to the hospital, for twenty-one years.

A silver jack was gifted to the company in May, 1771, by Mr William Tod, senior, merchant. This jack is played for annually; and the gainer appends a medal, with any subscription agreeable to him, the expence of the medal being defrayed by the company.

Of the Company of Hunters.

Hunting and horse-racing have been more or less in vogue ever since the Restoration. A company of gentlemen, instituted for enjoying together the sports of the fields, have subsisted at Edinburgh during great part of this period. But the company has been once and again given up, partly owing to the original members who composed it dying out, some times to the club getting into habits of extravagance, which made the members tire of it.

The company of hunters immediately preceding the present, had its first meeting at Edinburgh, 10th January, 1758, and was dissolved on the same day of the 1766. The present one was instituted at Hamilton House, the seat of the Duke of Hamilton, on the 2d of August last, by the name of *the Caledonian Hunt.* At its institution there were twelve members; there are now forty-five. This club has its head quarters (if we may be allowed the expression) at Edinburgh, and meets occasionally in different parts of the country, as the inclination of the members dictates. The club is composed of nobility and gentry of the first distinction. They wear an uniform * at their meetings; and they give annually a magnificent ball at the palace of Holyrood-house. Among other rules of this company, they have established proper regulations to prevent gaming.

A pack of slow hounds is kept at Edinburgh by subscription of a set of gentlemen, who are not members of *the Caledonian Hunt.*

The races are commonly held at Edinburgh in the summer season. The course is over the sands of Leith, which indeed are heavy and fatiguing for the horses, especially if they are not of strong bottom. The races last for a week. The prizes run for are, a piece of plate of fifty guineas value, given by the city of Edinburgh; a purse of fifty guineas, given by Sir Lawrence Dundas, the city's representative in parliament;

corporate, and approve of certain laws and regulations made for their good government.

* Their uniform is scarlet, turned up with green, and a silver button.

another purse of fifty guineas, by subscription of the nobility and gentry, to be run for by actual hunters; his Majesty's purse of a hundred guineas; the ladies' subscription purse; and the noblemen and gentlemens' subscription purse of a hundred guineas. There are three stewards chosen from among the nobility and gentry, who decide differences, and adjudge the prizes. They appoint their own successors. The races are well frequented by company from the different parts of Scotland, and north of England. During the race week there are public diversions every night; and an excellent ordinary, at half a crown a-head, is kept at Fortune's.

Of the Stage.

We have already traced the origin of theatrical representations, and certain * changes which they had undergone; and observed, that, from originating in the church, they, by a striking vicissitude, came to be anathematised by the clergy, who, at the same time, were compelled by the mandate of James VI. to drop their censures of theatrical representations.

The civil wars in the reign of Charles I. and the gloomy fanaticism which spread itself among the people, left neither leisure nor inclination for the amusements of the stage. Sports and gaiety were revived with the Restoration. The stage was then renewed, with this engaging novelty, that women, for the first time, appeared upon it; female characters † having, before that, been personated by slender youths. But although an exception, in favour of comedians, is made in a public ‡ statute, A. D. 1672, it does not appear that stage-plays were renewed in Edinburgh till some years afterwards, when the Duke of York kept his court in that city.

At that time there were two companies of comedians in London, one under the patronage of the king, another under that of his brother. They were termed *the King's*, or *the Duke's* servants; were considered as part of their household; and in that character they || followed the courts of their respective masters, and wore a kind of livery by way of distinction. No salary, however, nor certain emolument being annexed to their service, the royal patronage was found insufficient for the subsistence of rival companies; and, therefore, they were united by letters patent, in A. D. 1684.

The university of Oxford had long been accustomed to compliment the king upon his accession, and upon any fortunate events in his reign, with a kind of academical jubilee, heightened by the representation of a play every morning

* Book 1. chap. 2. Appen. No. 1.
† Histriomastyx, p. 879. Cibber's Life, p. 55.
‡ Charles II. parl. 2. sess. 3. c. 10. || Cibber's Life, p. 53. p. 58.

and evening while this jubilee lasted. These plays were performed by the London company, and termed *public acts*. The residence of the Duke of York at Holyrood-house divided this company, and drew off the half of them to Edinburgh. In one of those *Oxford acts*, the party remaining apologised for their own weakness in the following ludicrous, but popular address, to the university, written by Dryden:—

'Discord and plots, which have undone our age,
'With the same ruin have o'erwhelm'd the stage.
'Our house has suffered in the common woe;
'We have been troubled with Scots rebels too.
'Our brethren have from Thames to Tweed departed,
'And of our sisters, all the kinder hearted,
'*To Edinburgh gone, or coach'd, or carted.*
'With bonny *blue cap*, there they act all night,
'For Scots half crowns, in English—threepence height.
'One nymph to whom fat Sir John Falstaff's lean,
'There, with her single person, fills the scene.
'Another, with long use and age decayed,
'Died here old woman, and rose there a maid.
'Our trusty door-keeper, of former time,
'There struts and swaggers in heroic rhyme.
'Tack but a copper lace to drugget suit,
'And there's a hero made without dispute;
'And that which was a capon's tail before,
'Becomes a plume for Indian Emperor.
'But all his subjects, to express the care
'Of imitation, go like Indians bare.
'Laced linen there would be a dangerous thing,
'It might, perhaps, a new rebellion bring;
'The Scot who wore it, would be chosen king.'

The misfortunes attending the duke's journey in his return to England, the political fever of his reign, and the sullen fanaticism into which that fever subsided, in the reign of his successor, once more dissipated so effectually all ideas of polite or rational amusement, that no return of the drama is to be traced in Scotland, even in the reign of Queen Anne, the Augustan age of her sister country. It was not till after the ferment excited by the union, and the confusion attending the rebellion, 1715, had subsided, that any stage-adventurer thought of Scotland.

The first of these was Signora Violante, an Italian lady, celebrated for feats of strength, postures, and tumbling, disgustful in any, but, in a woman, intolerable. At that period, however, people were not of this opinion. In company with some Italians, this virago travelled over England, crossed to Dublin, and returned by the way of Edinburgh, where she

fitted up that house in the foot of Carruber's Close, which has since been occupied as a meeting house, by successive tribes of sectaries. Encouraged by the prospect of success, Signora Violante collected a company of English Comedians, renewed her peregrinations, and once more visited Edinburgh with her troop. For some years after this period, a strolling company of players annually visited Edinburgh; from a certain quarter, however, they met with great discouragement *. The presbyterian clergy were possessed with the most illiberal and violent animosity against the stage. The writings of their most popular divines represented the play house as the actual temple of the Devil, where † he frequently appeared clothed in a corporeal substance, and possessed the spectators, whom he held as his worshippers. In the year 1727, the magistrates and presbytery of Edinburgh endeavoured to expel the comedians from their boundaries. The magistrates prohibited them from acting within the limits of their jurisdiction. A meeting of the presbytery was held on the occasion ‡, and a solemn deputation was appointed to wait on the magistrates, and express the presbytery's thanks to them, *for the just zeal they had shown in the matter*. At the same time a committee of divines was appointed to draw up an *act and exhortation* against the frequenting of stage-plays, which was done accordingly, and read from all the pulpits in the district; but the comedians suspended the effect of the magistrates' interdict, by bringing it under the review of the Court of Session, and continued to act notwithstanding the fulminations of the clergy.

From this time, Edinburgh, every two or three years, was visited by itinerant companies, who occasionally rented the *Tailors' Hall* in the Cowgate, so called from its belonging to the corporation of tailors. The price of admission was then two shillings and sixpence for pit and boxes, and eighteen-pence for the gallery. At these rates, the Tailors' Hall, by a full house, drew about L.40 or L.45. The clergy were now in a

* It is to this discouragement that Mr Aston, one of the company, alludes, in the following verses, in his prologue to the first night's performance at Edinburgh, A. D. 1726.

> 'After a circuit round the Queen of Isles,
> 'To gain your friendship and approving smiles,
> 'Experience bids me hope;—though south the Tweed
> 'The dastard's said, "He never will succeed.
> "What! such a country look for any good in,
> "That does not relish plays—nor pork—nor pudding."
>
> *Ramsay's Poems*, vol. 2. p. 196.

† Address to the Reader, and Postscript to Durham on the Ten Commandments.

‡ Records of Presbytery of Edinburgh, 29th, 30th Nov. 1727.

condition to attack the stage with more effect. An act of parliament had been passed suppressing * play houses. Such was the zeal of the presbytery of Edinburgh, that they brought an action upon the statute against the comedians, at their own expence, and prevailed † in the suit. A writ of appeal was taken out, which suspended the decree of the Court of Session; and, that the theatre might no longer be harrassed by the church, application was made to parliament for a bill to enable his majesty to license a theatre at Edinburgh. Petitions ‡ against this bill were presented to the House of Commons, by the Lord Provost, magistrates, and town council of Edinburgh, by the principal and professors of the University, and by the Dean of Guild and his council, and the bill was dropped. As the clergy continued to rail against theatrical entertainments, a spirit of party was excited, in consequence of which, the theatre came to be unusually frequented. The Tailor's Hall was found insufficient to accommodate the spectators.

During this glimpse of prosperity, the comedians differed among themselves; and a factious performer having engaged into his party the late Mrs Ward, then in the bloom of youth and beauty, attempted to ruin the manager of *Tailors' Hall*, by setting up a new house. For this purpose a subscription was set on foot, and tradesmen were employed, who agreed to depend for their payment upon the proceeds of the house. An area was pitched upon to the west of St John's Street, Canongate, and the foundation stone laid in August 1746, by Mr John Ryan of Covent Garden, an actor of distinguished merit. No sooner were the doors opened, than the Tailors' Hall was deserted, and the manager ruined, a certain consequence of rivalship between theatrical companies any where but in London. The success of this house was for one season greatly enchanced by the following circumstance: one Robert Drummond, a printer, had been sentenced by the magistrates to be pilloried, and banished the city for a twelvemonth, for printing a defamatory poem, or libel, reflecting upon the Duke of Cumberland, and certain zealous whigs. His printing house being shut up, and his journeymen and apprentices set idle in consequence of this sentence, it was contrived, that the pastoral comedy of the Gentle Shepherd should be acted by these journeymen and apprentices for the behoof of their distressed master. As the sentence against Drummond was deemed rigorous, and as it had become a party affair, the scheme of a play was wonderfully relished, and the play repeatedly performed before such crowded houses, that it was found neces-

* An. 10. Geo. II. c. 28.
† Scots Magazine, v. 1. p. 89. 1737, 1739.
‡ Journals of House of Commons, 28th March, 10th April 1739.

sary to erect occasional galleries over the stage for the convenience of spectators.

The Canongate theatre was tolerably successful till the year 1752, and was occasionally visited by performers of merit from the capital; among whom Sparks, Lacy, and De Lane, deserve to be mentioned. By this time, few of the original proprietors were alive; the remaining ones were unable to carry on the management; it was, therefore, agreed on all hands, to dispose of the theatre to Mr Lee, an actor of eminence, and at that time the favourite of the town. The price paid for it was L.648, and L.100 a year during life to the surviving lessees. Mr Lee having, by reason of the sums he laid out on his newly acquired property, and from other causes, fallen into arrears to tradesmen, certain judges of the Court of Session, and other persons of distinction, sixteen in number, interposed their credit in Mr Lee's behalf; and with a view to their own security, obtained from him a deed of conveyance of his property. Mr Lee being unable to discharge the debts, these gentlemen seized the theatre for their indemnification, turned out the person whom they had proposed to befriend, appointed the late James Callender, merchant in Edinburgh, to act for them, and engaged Mr Digges, who was then at Dublin, to supply the place of Mr Lee.

Lee complained heavily of these proceedings. He insisted, that the conveyance granted by him was merely a mode of security, not a deed of sale: that he had been imposed upon as to the form of the writ, and taken advantage of in the price specified for the subject, which was no more than L.500, while the property was truly worth L.1700. To obtain redress of his grievances, Mr Lee brought an action before the Court of Session; and a party was formed to oppose the new managers. After two or three pleadings, the action was dropped; and Mr Digges's figure and address defeated the opposition.

For a few seasons, the theatre was, under its new managers, carried on with appearance of success. Besides Messrs Ward, Love, Stamper, Griffith, Lancashire, all actors of merit, belonging to the company, it was visited by others from the capital; particularly Mrs Bellamy, who afforded universal satisfaction. Mr Digges's private debts at last obliged him to withdraw, leaving the management of the theatre to Messrs Callender and Love. These afterwards yielded the management to John Dowson of Newcastle, and David Beatt of Edinburgh, who took a lease of the theatre; both of them mere adventurers, and equally ignorant of theatrical business. The confusion into which the theatre fell, speedily evinced how much Messrs Beatt and Dowson were unqualified to conduct it. Dissentions arose among the performers, which the managers were unable to allay. Each party had their friends

among the public. The gentlemen of the long robe took a deep concern in the quarrel. The students at the University did not remain neutral. In a riot which ensued, the Canongate theatre was totally demolished; and the performers, who had drawn this ruin upon themselves, were left in extreme necessity.

During all this time, the gentlemen who had obtained a conveyance from Mr Lee, remained proprietors. They found themselves at this period involved in a debt of L.900, on account of the theatre, without the shadow of a property to discharge it. They brought an action of damages against the young gentlemen concerned in the riot, in which their property was destroyed. The latter, with great address, traversed it by a counter-action against these proprietors, for having plays acted in their house, contrary to act of parliament. Many of those proprietors were now raised to the bench; hardly a quorum remained to decide the questions. The ludicrousness of the case was perceived, and both actions were dropped.

The Edinburgh theatre had hitherto been carried on contrary to law, under the evasion of '*a concert of music, with a play between the acts.*' The prejudice against the stage had much abated, chiefly in consequence of *the tragedy of Douglas*, the idle clamours raised against that tragedy by the clergy, and the speculations which those clamours excited among the people. Their attention was turned to the stage, by the curious actions at law, which originated from the late riot; and it was resolved to apply for the authority of parliament, towards obtaining a licensed theatre. For this, the bill preparing to be presented for the extension of the royalty, afforded a ready opportunity. A clause was added to it, enabling his majesty to license a theatre at Edinburgh.

The expence of this additional clause was defrayed by the gentlemen proprietors of the old theatre; and the patent was taken out in the name of Mr Henry Davidson, sollicitor at law, their attorney. Although the public concerned themselves deeply in this business, no one adverted to the consequences of that mode of taking out the patent. When candidates appeared, all were surprised to find the sole disposal of the patent vested in these gentlemen. But they were still more alarmed, when they found, that the new patentee was to be loaded with the whole debts affecting the old theatre.

The candidates were Mr Lee, already mentioned, and Mr Ross, then a principal performer at Covent Garden. A violent contention ensued; the first enjoying the public favour, while the last had a majority of suffrages among those who had vested themselves with the disposal of the patent. To Ross it was given accordingly, upon his making payment of

L.1100 to the old managers, being the amount of the debts and expences incurred by them. Thus did they get themselves rid of a scrape into which their fondness for theatrical amusements had unwarily drawn them.

Mr Ross having become patentee, set himself about building a new theatre. The spot pitched upon for this purpose, was in the extended royalty, at the north end of the bridge, where it produces the double effect of disgusting spectators by its own deformity, and of obstructing the view of the Register Office, perhaps the handsomest building in the nation. Ways and means were to be devised for raising money to defray the expence of this intended theatre. Mr Ross was already L.1100 out of pocket for the patent. He proposed to raise L.2500, in sums of L.100 each, for which he was to give security upon the new theatre, wardrobe, and patent, to pay for each sum or share of L.100, three *per cent.* of interest, besides giving a privilege to the holders of the respective shares, of admission to all spectacles to be exhibited in that house. The shares, however, were only to be transferable, the capital was not to be exigible from the patentee.

By these, and other specious engagements, which, by the bye, were not over punctually fulfilled, about twenty-five gentlemen were induced to subscribe, and a sum of L.2500 was thereby raised to the patentee. The building was begun A. D. 1768, and the house opened in December 1769; the expence of house, wardrobe, and scenery, amounting to about L.5000. The design of the theatre resembles that of Bristol; it is simple, commodious, and elegant. When Mr Ross obtained the patent, the price of admission was raised to three shillings, pit and boxes; two shillings the gallery; and one shilling the upper gallery. At these rates, the house holds about * L.140.

A temporary, but heavy misfortune, befel the play-house before it was completed; namely, the downfall of the bridge, by which any tolerable communication between it and the city was cut off. The indifference of the company which the manager had provided, gave little inducement to people, at the expence of such disagreeable access, to visit his theatre: But he exclaimed loudly in his own defence, that good performers were so discouraged by the fall of the bridge, that they would not engage with him; and his popularity not being equal to his merit as an actor, but rather proportioned to his indolence as a manager, he made but an unsuccessful campaign. The fact is, Edinburgh does not give encouragement to the stage proportionable to the populousness of the city. This does not proceed so much from the remaining

* The Canongate theatre at 2s. 6d. 1s. 6d. and 1s. held between L.70 and L.80.

leaven of fanaticism, as from the poorness of Scots fortunes, the inconsiderableness of the trade and manufactures, or the smallness of the profits arising from them. These do not admit of ordinary gentlewomen, or the wives and daughters of shop keepers and mechanics going often to the play house; therefore they keep their penny till some occasion, (no matter what), makes it reported that *the house is to be throng*, then every one crowds to the theatre, while, without such report, its walls would be desolate. As for the gentlemen, the stage has not such attractions for them, as the social pleasures of the bottle, or the pungent emotions of the hazard table.

The success of the patentee not being suitable to his expectations, he let the theatre for three years to Mr Foote, who, with Messrs Woodward and Weston, at the head of a good company, opened the second season of the new house; and, after paying the proprietor his rent, cleared upwards of L.1000. Edinburgh lay at an inconvenient distance for a person in Mr Foote's situation. He conveyed the lease to the old manager Mr Digges, in conjunction with Mr Bland. Mr Bland had originally been taken into partnership with Mr Ross, and had, with that view, contributed L.400 of the price of the patent: But his concern was afterwards re-purchased by Mr Ross, for an annuity of L.100 a year, with which the theatre continues to be charged. Digges and Bland set out with an excellent company, in which Mrs Hartley made her first appearance. In that season they cleared upwards of L.1400.

Upon the expiry of Mr Foote's lease, Messrs Digges and Bland entered into a new contract with Mr Ross, by which they agreed to pay him for a lease of his theatre five hundred guineas *per annum*. It does dot appear, that the proceeds of the Edinburgh stage can afford so large a rent to the patentee or proprietor, and also yield a decent profit to the lessee. The present Managers have rested their own interest upon the most solid basis, namely, paying the most industrious attention to please the public, by grudging no trouble nor expence, in bringing excellent actors upon the stage. Accordingly, during their management, every capital performer in Britain, GARRICK excepted, has appeared upon the Edinburgh stage. Yet this high rent bears so hard upon the lessees, that they are not able to decorate the theatre, nor provide a suitable wardrobe; and Mr Digges being obliged, once more, to withdraw from Edinburgh, from prudential considerations, the proceeds of the theatre are decreasing; so that, unless some new plan be adopted, the whole must again go to ruin.

Having finished the history of the Edinburgh stage, it will be proper to take notice of certain theatrical incidents, which we omitted in the course of our narration. These are, the

riot of Culloden; the riot upon the farce of High Life below stairs; and the tragedy of Douglas.

After the Rebellion, 1745, the divided spectators frequently displayed in the theatre a spirit of political dissension. Upon the anniversary of the battle of Culloden, 1749, this animosity rose to a height which threatened consequences of a serious nature. Certain military gentlemen who were in the play house, called out to the band of music to play *Culloden**. This was regarded by the audience as ungenerously and insolently upbraiding the country with her misfortunes. Resenting it accordingly, they ordered the band to play, *You're welcome* † *Charles Stuart*. The musicians complying, instantly a number of officers attacked the orchestra with drawn swords, and leaped upon the stage. Among them was the son of a chieftain, who had drawn the Pretender on to his rash attempt, by offering to join him with his clan, and who, upon the Prince's landing, raised his clan, it is true; but, instead of fulfilling his engagements, joined the royal army. This young gentleman leaping upon the stage, to display the zealousness of his loyalty, slipped his foot, and fell flat upon the stage. The spectators being tickled with the circumstance, an immense peal of laughter burst through the house, which exasperated the indignation of the officers. Meantime, fiddlesticks being unable to cope with polished steel, the musicians fled; but the military were not long able to remain masters of the field. They were assailed from the galleries with apples, snuff-boxes, broken forms, in short, with every thing missile that could be laid hold of. The officers at once consulted their safety, and went in quest of revenge, by quitting the stage, in order to attack the galleries, which they stormed sword in hand. The inhabitants of these upper regions defended themselves from the fury of the soldiers, by barricading their doors. The Highland chairmen learning the nature of the quarrel, with their poles attacked the officers in the rear, who, being neither able to advance nor retreat, were obliged to surrender at discretion, leaving the chairmen masters of the field.

Luckily no misfortune of any consequence happened in this fray; and to prevent similar disturbances, bills were next day pasted up, wherein it was notified, in large rubrics, that, for the future, the band of music was not to play any tunes at the desire of the audience, but select pieces appointed by the managers.

About twenty years ago, the practice of giving vails to servants prevailed universally through Scotland. Nothing can

* A tune composed, in order to keep up the remembrance of the bloody defeat of an unfortunate party.

† A song of the Jacobite party.

be conceived meaner, on the part of a master, than permitting his servants to be paid by others than himself; nothing more inhospitable towards guests, than suffering them, in a manner, to pay for their entertainment. Nothing can tend more to makes ervants rapacious, insolent, and profligate, than allowing them to display their address in extracting money from the visitors of their lord; yet this custom had crept in universally. Its bad effects had already been severely felt, when an outrage of the footmen in the play-house displayed the evil in so strong a light, as to occasion its redress.

Although it is the province of the stage to lash the vices, and ridicule the follies of people in all ranks, yet soon after the farce of *High Life below Stairs* was published, the footmen, taking it in high dudgeon, that a farce, reflecting on their fraternity, should be exhibited, resolved that it should be no more performed. Accordingly, upon the second night of its being announced in the bills, as a part of the entertainment, Mr Love, one of the managers, came upon the stage, and read a letter, containing the most violent threatenings, both against the actors and the house, in case the piece should be represented; declaring, that above seventy people had agreed to sacrifice *fame*, *honour*, *and profit*, to prevent it. Notwithstanding this fulmination, the performers were ordered to go on. That servants might not be kept in the cold, nor induced to tipple in adjacent ale-houses while they waited for their masters, the humanity of the gentry had provided, that the upper gallery should afford, gratis, admission to the servants of such persons as were attending the theatre. Yet did the only part of the spectators, which were admitted for nothing, presume to forbid the entertainment of their masters, because it exposed the vices of their own order. No sooner was the piece begun, than a prodigious noise was heard from the footmen's gallery. They were ordered to be silent, but ineffectually. Many of the gentlemen discovered, among this noisy crew, their individual servants. When these would not submit to authority, their masters, assisted by others in the house, went up to the gallery; and it was not till after a battle, and that the servants were fairly overpowered, and thrust out of the house, that quietness could be restored.

So daring an insult made it not only necessary that the servants should be deprived of the freedom of the play-house, which they had so grossly abused, but that the practice of giving vails, so pernicious to their morals, should be abolished. The gentlemen of the county of Aberdeen had the merit of being the first to make a resolution neither to give, nor allow their servants to receive, any money from their visitors, under the name of drink-money, card-money, &c. and instead of it to augment their wages. They were followed by the gentle-

men of the county of Edinburgh, by the Faculty of Advocates, and other respectable public bodies; and the practice was utterly exploded over all Scotland. It is surprising, that, considering the good sense and generosity of the English, so dirty and pernicious a custom, a custom so oppressive upon poor gentlemen, who visit in the houses of their superiors, should, on the south side of the Tweed, be in part allowed to remain.

After the presbyterian clergy had railed against the stage upwards of a century and a half, it was a matter of no small mortification to them to behold a play written by one of their own order, acted in presence of several of their number, and received with universal applause. The tragedy of Douglas was performed first at Edinburgh on the 14th December, 1756. It was acted, for successive nights, before persons of all ranks and professions, and had a run unprecedented in any theatrical piece exhibited in Scotland.

The presbytery of Edinburgh took the alarm. They called before them such ministers within their district as had witnessed the performance of the play, and passed upon them a sentence of temporal suspension from the pastoral office. They, at the same time, wrote circular letters to those presbyteries in which any clergyman belonging to them had been present at the theatre, recommending rigorous proceedings against them. They went about to misrepresent the conduct of a certain clergyman, while in the play-house, interpreting into riotous behaviour a conduct that was in all respects manly, honourable, and decent. With regard to the play itself, they attacked it on account of its pretended irreligious and immoral tendency, alleging, in support of their charge, that there were certain impious invocations, or mock prayers, in it, and an expression * of horrid swearing; besides, that it encouraged suicide. As to the author, he was cited to appear before his own presbytery, to answer the libel brought against him. But the poet, foreseeing the disagreeableness of his situation, and perhaps having no violent attachment to his profession, declined an appearance before his brethren, at the expence of resigning his pastoral charge. With respect to their flock, the presbytery drew up an *act and exhortation*, which was read from all the pulpits, and afterwards made its appearance in some periodical publications. In this address, the presbytery, after making the hackneyed complaint, of the growth of immorality and irreligion, set forth, either from

* The expression found fault with was the following: 'By him that died 'on the accursed tree;' an oath taken almost verbatim from the old English ballad of 'Adam Bell Clym of the Clough,' &c. See Reliques of Ancient Poetry.

involuntary ignorance *, or with deliberate falsehood, that the Christian church had, in all ages, condemned dramatic representations. They proceeded, in whining jargon, to '*warn, exhort, obtest, and plead, with all* † *within their bounds, to discourage the illegal and dangerous entertainments of the stage; and to restrain those under their influence from frequenting such seminaries of vice and folly.*' The presbytery of Glasgow (though nowise concerned) joined in the cry, '*lamenting the melancholy fact, that there should be a tragedy written by a minister of the church of Scotland.*'

Exhortations so full of fanaticism, or hypocrisy, measures so illiberal and oppressive, roused the public attention; and by leading people to consult their own reason, in a good manner dissipated the prejudices which had hitherto subsisted against the stage. Thus a striking lesson was afforded, 'That extravagant and unsuccessful attempts to enslave the minds of men must be productive of increasing liberality of sentiment.'

Of the Concert.

The Musical Society of Edinburgh, whose weekly concerts form one of the most elegant entertainments of that metropolis, was first instituted in the year 1728.

Before that time, several gentlemen, performers on the harpsichord and violin, had formed a weekly club at the Cross Keys tavern ‡, where the common entertainment consisted in playing the concertos and sonatas of Correlli, then just published; and the overtures of Handel. That meeting becoming numerous, they instituted, in March 1728, a society of seventy members, for the purpose of holding a weekly concert. A

* It is really deplorable to see a public body, so respectable from their function, addressing the public with so gross an untruth. It has been already shewn, that, in modern Europe, the stage originated from the church; B. 1. c. 2. But to be more minute. Such was St Paul's opinion of dramatic performances, that he has actually given a verse of the Thais of Menander, as a passage of holy writ; 1 Corinth. xv. 33. *Reliquiae Menandri Clerici, p.* 79. *Grotii Excerptu ex Menandro, p.* 722, 723. St Gregory of Nazianzen, one of the Fathers, and Bishop of Constantinople, wrote a piece, entitled, '*Christus patiens, Tragedia, sive potius Tragi-comedia*;' *St Gregorii Nazianzini op. v.* 2. *p.* 253. Upon the dawn of Letters, the Greek comedy was revived by Cardinal Bibiena, and tragedy by Trissino, Archbishop of Benevento; Essai sur les Moeurs et l'Esprit de Nations, par Voltaire, p. 368. The General Assembly of the church of Scotland expressly admitted of theatrical exhibitions, provided the subject was not scriptural. Book of Universal Kirk, p. 145, 161. Buchanan wrote, '*Jephthes, sive votum, tragedia*;' and '*Baptistes, sive Calumnia, tragedia*;' besides translating the Medea and Alcestis of Euripides, Milton wrote *Samson Agonistes*, and Comus, a Mask.

† This remarkable specimen of cant and jargon may be seen in the Scots Magazine, v. 19. p. 18.

‡ Kept by one Steil, a great lover of music, and a good singer of Scots songs.

governor, deputy-governor, treasurer, and five directors, are annually chosen by the members, for regulating the affairs of this society. Its meetings have been continued since that period much on the same plan, only the place where they are held has been changed from St Mary's Chapel to their own hall. These meetings are only interrupted during three or four weeks of the vacation, in the months of September and October.

The present Concert Hall, which is situated in a centrical part of the town, was built A. D. 1762. The plan was drawn by Mr Robert Mylne, architect of Blackfriars Bridge, after the model of the great Opera Theatre at Parma, but on a smaller scale; and the expence was defrayed by voluntary subscription among the members. The musical room is reckoned uncommonly elegant. It is of an oval form; the ceiling, a concave elliptical dome, lighted solely from the top by a lanthorn. Its construction is excellently adapted for music; and the seats ranged in the room in the form of an amphitheatre, besides leaving a large area in the middle of the room, are capable of containing a company of about five hundred persons. The orchestra is at the upper end, which is handsomely terminated by an elegant organ.

The band consists of a *Maestro di capella*, an organist, two violins, two tenors, six or eight *ripienos*, a double, or *contra*-base, and harpsichord; and occasionally two French horns, besides kettle-drums, flutes, and clarinets. There is always one good singer, and there are sometimes two, upon the establishment. A few years ago, the celebrated Tenducci was at the head of this company. The principal foreign masters at present in the service of the musical society are, first violin, Signor Puppo; second, Signor Corri; violincello, Signor Schetky; singers, Signor and Signora Corri. All of these are excellent in their different departments. They have salaries from the society according to their respective merits.

Besides an extraordinary concert, in honour of St Cecilia, the patroness of music, there are usually performed, in the course of the year, two or three of Handel's oratorios. That great master gave this society the privilege of having full copies made for them, of all his manuscript oratorios. An occasional concert is sometimes given upon the death of a governor or director. This is conducted in the manner of a *concerto spirituale*. The pieces are of sacred music; the symphonies accompanied with the full organ, French horns, clarinets, and kettle-drums. Upon these occasions, the audience is in deep mourning, which, added to the pathetic solemnity of the music, has a noble and striking effect upon the mind.

The music generally performed, is a proper mixture of the modern and ancient stile. The former, although agreeable

to the prevailing taste, is not allowed to debar the amusement of those, who find more pleasure in the old compositions. In every plan there are one or two pieces of Corelli, Handel, or Geminiani.

Among the number of members, which is now increased to 200, there are many excellent performers, who take their parts in the orchestra, especially in extraordinary concerts, where sometimes a whole act is performed solely by the gentlemen-members.

Formerly some of the members of this society instituted a catch club, which met after the concert. On the great concert, in honour of St Cecilia, the governor and directors were in use to invite a few of their friends, and strangers of fashion, to an entertainment of this kind, after the concert, where select pieces of vocal music were performed, intermingled with Scots songs, duets, catches, and glees. There were many excellent voices in the catch club, who sung each their part at sight; and the easy cheerfulness which reigned in this select society, rendered their meetings delightful. When the Prince of Hesse was in Scotland in 1745-6, his Highness, and several of the nobility, were elegantly entertained by Lord Drummore, then governor of the musical society, and the gentlemen of the catch club. The prince was not only a *dillettante*, but a good performer on the violincello. The Scots songs, and English catches, were to him a new and an agreeable entertainment. The selection of company, which, for some years, gave high spirit and repute to this joyous convivial club, by degrees relaxed; it of course became numerous and expensive, and at last broke up.

Company are admitted to the entertainments of the concert, by special tickets, which are not transferable, and serve for the night only upon which they are granted; and, in the admission, which is always gratis, except at the benefit-concerts given for the emolument of performers, a preference is constantly shown to strangers. By an uniform adherence to the spirit and rules of the society, and a strict economy in the management of their funds, the musical society has subsisted these fifty years, with great honour and reputation; and, at present, it is esteemed one of the most elegant and genteel entertainments, conducted upon the most moderate expence, of any in Britain.

Of the Assembly.

An Assembly is held once or oftener weekly, during the winter season. A regular assembly was first held in Edinburgh about the year 1710. It continued entirely under private management till A. D. 1746. It has since been under

the guidance of seven gentlemen directors, who manage it in behalf of the Charity Work House, and Royal Infirmary, to whom the property of the Assembly Hall now belongs. But the economy of dancing, and other business of the night, is superintended by a woman of fashion, appointed by the directors.

This lady sits at the head of the room, and wears, as the badge of her office, a gold medal, with motto and device, emblematical of charity and parental tenderness. The tickets for admission are sold for half-a-crown. From the receipts of the house, the expence of lights and music is defrayed, as well as of tea and coffee, which are furnished to the company without any additional charge. The residue is divided equally between the Charity Work House and Royal Infirmary.

A new house for holding assemblies is much needed in Edinburgh. In the present one, the dancing-room is neither elegant nor commodious. The door is so disposed, that a stream of air rushes through it into the room; and, as the footmen are allowed to stand with their flambeaux in the entry, before the entertainment is half over, the room is filled with smoke almost to suffocation. There are two tea or card-rooms, but no supper-room. When balls are given in the Assembly Room, and after them supper, nothing can be more aukward or incommodious to the company, than the want of distinct apartments for supper and dancing. At present, upon these occasions, the table is covered in the dancing-room before the company meets. Additional tables are set out, when room is made for them by the dancing being over. Chairs are to be brought in, and waiters are pouring in with dishes, while the company are standing all the while in the floor. As this inconveniency can only be remedied by building a new assembly house; so, that can only be brought about by subscription, for the city of Edinburgh have no funds at present for carrying on such a work.

Of the Card Assembly.

An assembly was instituted A. D. 1774, for genteel people of both sexes meeting to play at cards. This assembly is supported partly by subscribers, partly by other company who occasionally resort to it. Its meetings are held once a week in the winter season. There are an unlimited number of subscribers who pay a guinea each, annually, for a ticket, which entitles them to constant admission. The subscribers alone have the power of giving tickets of admission to this assembly; so that there is by no means a promiscuous company; but those who are thus introduced, pay half-a-crown each for their tickets. Besides the expence of the rooms, tea

and coffee are given without any additional charge. The surplus, after defraying this expence, goes to a widow gentlewoman who manages the rooms.

Of Comely Garden.

A wretched attempt to imitate Vauxhall, for which neither the climate nor the gardens are adapted.

CHAPTER III.

Of the University of Edinburgh, and other Seminaries of Learning—The College Library—Observatory—Botanic Garden—High School—Academy for Drawing—Royal Academy—Academy of Deaf and Dumb—Society for Propagating Christian Knowledge—Philosophical Society—Medical Society—Speculative Society.

UNIVERSITIES were originally ecclesiastical corporations, instituted for the advancement of learning. As bodies corporate, they could hold and purchase property, sue and be sued. From pious or charitable motives, or the love of learning, they received * ample endowments from noble or royal donors, and enjoyed valuable and important privileges. They were generally exempted from public taxations, and were allowed to appear by their representatives in the public councils. †

Not only the professors, but the students also, were members of the body-corporate, over which its distinguished officers ‡ possessed an ample jurisdiction, extending to all civil cases, and to such criminal ones as were not of a capital nature; and its members, that their leisure might not be interrupted, nor attention distracted from literary pursuits, enjoyed a privilege, that they could not be summoned before any court but those of the University; while, at the same time, they could compel others to follow their tribunal.

* Charter by James I. to the University of St Andrews, 31st March 1432, and by James II. to the University of Glasgow, 20th April 1453, in archives of the Universities of St Andrews and Glasgow. Book of Discipline of the Church of Scotland, v. 2. p. 561.

† In England the two universities send representatives to parliament. The Scots universities send members to the General Assembly.

‡ Cor. jur. civ. Cod. lib. 4. T. 13. L. ult. Charter by the Bishop of St Andrews, penult. Feb. 1411, in archives of St Andrews; Blackstone's Commentary, v. 3. p. 83.

The chancellor was the supreme magistrate in most universities. This distinguished office was held by the Bishop of the diocese, who presided in the general councils of the university, and * exercised over it a visitorial authority, in so much that, when the founder of a college inclined to subject it to a visitor of his own appointing, he found it necessary to apply for a papal bull exempting it from the jurisdiction of the ordinary of the diocese.

The officer next in rank to the chancellor was the rector. The prerogatives of these respective officers, in different universities, were various. As it was the privilege of these learned bodies to confer degrees of licentiate, Bachelor and Master of Arts, and Doctor in the learned professions; so, in some universities, this power was exercised by the chancellor, in others by the rector. In the Scottish ones, the rector was the Judge Ordinary, † who, with the advice of assessors, generally chosen from among the professors of theology and law, heard and determined causes. An appeal, however, lay from his decrees to the general court of the university, composed of all the professors or regents, in which the chancellor presided; and it would appear, that from this court, an appeal lay to the king. At the same time, if these university courts were exceeding the powers vested in them by their foundation, or, if one was assuming the power of the whole, or rejecting the suffrages of a person entitled to vote, an action for redress before the Court of Session was competent.

The rector was chosen annually by the whole members of the university, students as well as professors, (at least by such students as had obtained a degree). As most of the universities in Europe were founded after the model of that of Paris, so the fashion of the Parisians, in chusing their rector, was observed. The constituent members of that university were divided into four nations, *viz.* those of France, Picardy, Normandy, and Germany. Each nation chose a delegate. The four delegates chose the rector, and, in case of an equality of voices, the former rector decided the preference. Thus, in chusing their rector, the constituent members of the university of St Andrews were divided into four classes or nations, termed the Fifans, Lothians, Albans, and Brittans. But the erection of other universities made a new partition of district necessary. Accordingly, the members were divided into the classes by which they are still distinguished, *viz.* Fifans, Lo-

* Charter by James I. *ut. sup. Bulla Papæ Nicolai* V. in archives of the University of Glasgow, A. D. 1450; Blackstone's Commentary, v. 1. p. 482.

† Charter by James I. *ut. sup.* ditto, by Bishop of Glasgow, 1st December 1453; Old Rector's Book, p. 83, 120, in archives of Glasgow; James VI. parl. 23. Unprinted acts, No. 71. Fountainhall, 22d July 1707, 21st Dec. 1711, 19th Feb. 1712; Blackstone, vol. 1. p. 484.

thians, Angusians, and Albans. In the universities of Glasgow and Aberdeen, the members are arranged in a similar manner.

The first university founded in Scotland, was that of St Andrews, A. D. 1412. Edinburgh not being erected into an episcopal see till long after the Reformation; and it being unusual, if not unprecedented, to have universities erected any where but in metropolitan cities, was, perhaps, the reason why no college was established at Edinburgh during the times of popery. It was not, however, destitute of seminaries of learning. James I. perhaps the best of Scottish princes, in lieu of an university, established at Edinburgh a convent of Gray Friars, and prevailed upon the vicar-general of that order to send from Cologn several * learned men, who settled in different parts of Scotland, particularly in the convent which bore their name at Edinburgh, where divinity and philosophy were constantly taught till the Reformation.

Popery, and the institutions connected with it, whether founded for the propagation of piety and learning, or from charitable motives, fell in one common ruin. The demolition of the edifices gratified the barbarous zeal of the reformers, the despoiling of the revenues, their avarice. Accordingly, upon the establishment † of the Reformation, the citizens made loud complaint of the increasing number of the poor, and the ruinous state of schools, and other seminaries of learning. To enable the community to provide for their poor, Queen Mary, bestowed upon ‡ them all the houses belonging to any of the religious foundations in Edinburgh, with the lands and other revenues appertaining to them in any part of the kingdom. This grant was confirmed by James VI. who also bestowed upon them a privilege of erecting schools and colleges, for the propagation of science, and of applying the funds bestowed on them by his mother, Queen Mary, towards building houses for the accommodation of professors and students. ‖ He further gave full power to every one to give in mortmain-lands, or sums of money, towards the endowment of these schools and colleges, giving to the town council liberty to elect, with the advice of the ministers, professors in the different branches of science, 'with power to place and 'remove them as they shall judge expedient; and to enjoin 'and forbid all other persons from teaching,' &c. within the city, unless admitted by the council. This grant, and all the subsequent ones made by James VI. in favour of the university, were ratified by parliament §; and all immunities and privileges bestowed upon it, that were enjoyed by any college in the kingdom.

* Hope's Minor Practicks, p. 499. † Council Register, v. 4. p. 42. 27th Aug. 1562. ‡ Invent. to the City Cartulary of Edinburgh, 13th March 1566. ‖ Invent. to the City Cartulary of Edinburgh. § Unprinted acts, James VI. parl. 23, No. 49.

The town council having got eight thousand merks * in a † legacy from Robert Reid, Bishop of Orkney, for the purpose of founding a college, began to build a college A. D. 1581, a grant to that effect being previously obtained.

In the year 1583, the town council instituted Mr Robert Rollock, then a professor in St Salvador's college, St Andrews, professor in the College of Edinburgh, whose reputation allured a number of students to the infant college ‡. It was the fashion of the times, not that the masters in the university should adhere each to a particular profession, but that the same professor who began with giving lectures onhumanity to his students, should proceed with them in the branches of mathematics and philosophy, till their course was finished, and the students had received the degree of *Master of Arts.* Mr Rollock accordingly began with teaching humanity; but the students were found unqualified by their ignorance of the language, and, at the recommendation of Rollock, Duncan Nairn was appointed second professor, and the students were put under his charge to be instructed in the principles of the Latin tongue.

In the 1586, Mr Robert Rollock was appointed principal of the college; yet he still continued to teach his class, and next year was chosen professor of divinity, which office continued united with that of principal of the university till A. D. 1620. Before he began his course of lectures on divinity, Rollock had carried his students through the usual branches of academical learning, and forty-eight of them received, at one time, the degree of *Master of Arts*, out of whom four were afterwards chosen principals or professors in the university.

About this time it was resolved to institute two more professors of philosophy. For this purpose placards were published, inviting men of science to enter the lists in a public disputation on philosophy, in which the victors were to be installed in the new professorships. In consequence of this public invitation, six candidates appeared, and after solemn disputation for ten days, Mr Colt of Inveresk, and Mr Scrimzeour of Irvine were perferred, as the most deserving.

James VI. endowed this university with certain church lands and tithes in the counties of Lothian and Fife. He seemed to take pride in considering himself as its patron, and he ordained it to bear the name of *King James's College.* From § time to time it has received sundry donations from well disposed people, both for endowing professors and maintaining of bursars; and many additional professorships in the various branches of science have been instituted.

* About L.590 Sterling. † Council Register, v. 6. p. 128, 188, 189.
‡ MS. History of the College of Edinburgh, in Advocates' Library.
§ MS. History of University.; Maitland's History, p. 364. 365, 366.

The town council of Edinburgh are the absolute patrons and governors of this University. They not only institute new professorships, and elect professors, but can depose them also, the formality, *but not the justice, of their proceedings being liable to review.* An eminent instance of this happened A. D. 1626. Mr William Struthers, one of the ministers of Edinburgh, and moderator of the presbytery, in censuring a probationer, had used some disgraceful expressions, derogatory to philosophy; among others, terming it the *dish-clout* to divinity: Mr James Reid, one of the professors, offended at this expression *, introduced the matter at a public graduation, attacked the clergyman's doctrine respecting philosophy, calling it *falsam et rigidam.* The minister, provoked at this contradiction, and getting his brethren to join with him, brought a charge against Mr Reid before the town council, with a view to get him deposed. Mr Reid was well respected by the council, and they advised him to retire to his house in Fife, on pretence of an illness which he laboured under, till the rancour of the clergy should abate. He followed their advice; and the ministers took the opportunity of his absence, to tamper with the new members, admitted at the ensuing election of the town council, to his prejudice. He returned to town in October. The ministers, urging the cause warmly against him, and he, conceiving the council to have taken some steps prejudicial to him, while the cause was yet in dependence, appealed from them to the privy council. They, again, offended at this disrespect to their jurisdiction, instantly, upon his appeal, deposed him from his professorship, and elected another in his place, assigning no express cause for his deposition, but only '*for reasons known to the council, and* '*moving them.*' He attempted a reduction of the sentence, but to no effect; and he obtained a mandate from the court, for reinstating him; but it was disregarded. At last, tired with the contest, he gave in a voluntary resignation.

The first visitation of the University of Edinburgh was held A. D. 1614. The town council appointed sixteen of their own number, and five of the ministers of Edinburgh, visitors, joining with them three advocates, as their assessors.

There was never, in the University of Edinburgh, an officer, similar to that of Chancellor in the other learned academies. Indeed, this office, (as it has been exercised in Scotland), has been found of so little utility, as of late to have been bestowed by way of compliment by the professors upon some nobleman of distinction. At the same time, as the bishop of the diocese was officially chancellor †, the king may still ap-

* MS. History of College. † This accounts for there being no Chancellor of the University of Edinburgh. It was not an episcopal see; the bishop of the diocese was already Chancellor of the University of St Andrews; there was no body to assume the office.

point that supreme officer to such of the Scots Universities as are of popish institution. There was, however, in the college of Edinburgh, a rector; but that magistrate by no means enjoyed the extensive jurisdiction annexed to the office in the other Universities.

The salary of the principal of the college of Edinburgh was originally very small. In order to provide for him a comfortable living, and, at the same time, to make his situation the more respectable, he was allowed to reap the emoluments of the professorship of divinity, and to hold the rank and authority of rector. But, in the year 1620, these offices were disjoined. The principal's salary, from about forty guineas, was augmented to sixty; and Mr Andrew Ramsay, was appointed professor of divinity, and rector. He continued in these offices till A. D. 1626, when he resigned them both. For a year they lay vacant, when the town council resolved to fill up the office of rector with a person *who was not a member of the University*. They installed in that office Alexander Morison, Lord Prestongrange, one of the judges of the Court of Session. He, accordingly, appeared in council, and before them took the oath *de fideli administratione*; but it does not appear that he exercised the duties of his function.

As the town council had visited the College annually since the year 1614, the rector was the more remiss in his office. The council now resolved, that, instead of making periodical visitations of the College, they should annually chuse a rector, whom they should direct in the duty required of him, and ascertain the * powers of his office, by articles framed for that purpose. Agreeably to this resolution, in A. D. 1640, they chose Mr Alexander Henrison, one of the ministers of Edinburgh, rector of the University, ordaining a silver mace to be borne before him on all solemnities; and appointing certain members of the town council, ministers of Edinburgh, and professors in the College, his assessors. They drew up a set of instructions, impowering him to superintend all matters respecting the College, whether connected with its revenues, fabric, the education of youth, or the conduct of the *principal*, professors, and other members of the University, and their conformity to its regulations; with power to the rector to admonish offenders, and, in case of their obstinacy, to make report to the council: As also, to judge and determine upon trifling disputes between the members among themselves. The custody of the matriculation-roll was also given to the rector,

* We know not why that office, the supreme in the University, has of late been discontinued. Nothing can be more certain than the constitution of the office, and power of the town council to supply it; for the rector of the University of Edinburgh is acknowledged among the number of its officers in an express act of parliament. Unprinted Acts, James VI. parl. 23. No. 49.

and the students ordained to be matriculated in his presence, and that of the principal, and of the professors of the class to which the respective students belonged. He was also to be furnished with an inventory of the College revenues, and donations in its favour. At the same time, the rents of the College were ordered to be collected by an officer appointed for the purpose, who was to be called *the College Treasurer*. For some years we find the rector exercising his office. But the troubles which distracted the nation, and no regular records of this University having been kept, render it impossible for us to ascertain when that office was discontinued, or how the College was governed for a considerable period. We only discover, that Oliver Cromwell, who, although a notorious usurper, better understood, and more steadily supported, the interest and glory of his * country, than most of her lawful monarchs, was not unmindful of this University, but endowed it with an annuity of L.200 Sterling.

After the Restoration, the students at the University of Edinburgh appear to have been pretty much tainted with the fanatic principles of the covenanters. In the year 1680, when the Duke of York was at Edinburgh, they resolved to manifest their zeal by a solemn procession, and burning † a pope on Christmas day. The magistrates having got intelligence of their design, and being resolved to prevent a ceremony calculated to affront the Duke, as well as foment sedition, sent a party of soldiers to stop the procession. They, accordingly, in so far interrupted it, that, instead of his Holiness being burned, with all solemnity at the cross, the students were fain to burn him post-haste in Blackfriars Wynd; and seven of the rioters were apprehended, were committed to custody for a few days, and then liberated. Violent denunciations of revenge against the magistrates were heard. But it was not supposed, that these young people had been so early imbued with that furious zeal, and rancorous malice, which their subsequent conduct evinced. Upon the 11th of January following, the house of Priestfield, the seat of Sir James Dick, Lord Provost of Edinburgh, (the family being in town), was set on fire, and, with all the furniture, burned to the ground. A barrel, half full of combustible materials, was found in a neighbouring park; and several people deposed, that, on the night of the conflagration, they saw some young men with unlighted links in their hands, and a dark lanthorn, going towards the house of Priestfield; but, notwithstanding a pardon and reward of 200 ‡ merks being offered by the privy

* Council Register. v. 19. p. 272.

† MS. Letters in possession of Sir Alexander Dick of Priestfield. Wodrow's History, v. 2. p. 217, 218.

‡ About L.110 Sterling.

council to any who would discover their associates, the actual perpetrators were never detected. The College gates were ordered to be shut, and the students to withdraw themselves fifteen miles from the city. But in ten days the College gates were thrown open, and the students allowed to return, upon their friends becoming caution for their peaceable behaviour.

To repress the fanatic principles which were prevailing in it, Charles II. appointed * a visitation of the University of Edinburgh, nominating the great officers of state, the Bishop, Lord Provost, and Magistrates of Edinburgh, and certain others, visitors, of whom five, together with the Bishop and Provost of Edinburgh, to be a quorum; ordaining them to inquire into the condition of the College, its revenues, privileges, and fabrics; to examine if the laws of the kingdom, the church government, and old rules of discipline, were observed; to prescribe methods of teaching; to punish mutiny and faction; to correspond with the other universities, that uniformity of discipline might be observed; and to make a report before the first of November 1683. What the visitors did, in consequence of their appointment, we are not able to ascertain.

As that visitation was appointed with a view towards the suppression of fanatic principles, so upon the revolution, a parliamentary visitation was ordained of all the universities † in Scotland, with the purpose to remove, and to oppress, such as continued attached to the hierarchy of the house of Stuart. From such specimens of their conduct in a visitorial capacity, as we have been able to discover, we are entitled to say, that these parliamentary visitors proceeded with great violence and injustice.

Proclamation was made, and printed edicts pasted up at the Cross and College gates of Edinburgh, and at Stirling, Haddington, &c. &c. charging the principal and professors of the University, and schoolmasters in the city of Edinburgh, and in the neighbouring shires, to appear before the committee of visitors on the 20th of August ensuing, to answer upon the points contained in the act of parliament ‡: *Also, summoning and warning 'all the lieges || who have any thing to object 'against the said principal, professors, &c. &c. to appear be-'fore the said committee the said day and place, to give in ob-'jections,' &c.* After an edict, which bespoke, that the country, although it had been subjected to a revolution, had not acquired a system of liberty, nor the rudiments of justice; after an invitation, so publicly thrown out by the commissioners of parliament, in a nation distracted by religious and

* Inventory to city Cartulary of Edinburgh, v. 3. p. 309. 312.
† William and Mary, parl. 1. sess. 2. chap. 17.
‡ Presbyterian Inquisition, p. 104, 105. || i. e. subjects.

political factions, it is not to be supposed that *informers* would be wanting.

The committee met at Edinburgh on the day appointed; Sir John Hall, the Lord Provost, sat as preses. After adjourning his trial for eight days, they brought before them Doctor Alexander Monro, Principal of the University, Sir John Hall addressing him, bid him answer to the different articles of his indictment; and immediately turning to the clerk, commanded him to read them aloud. To the two first articles (one of which was, that he had renounced the Protestant religion), the principal answered extempore. But when he found the clerk proceeding with a long roll of he knew not what, he complained of proceedings so unjust and illegal, desired to know his accusers, and be allowed time to prepare his defences. He was, accordingly, furnished with a copy of the information against him, which he found *had not been subscribed*, and indulged with a few days to give in answers to the charge. Having lodged his answers, which contained an acknowledgment * of certain immaterial articles laid to his charge, and denial of the rest, he was asked by the commissioners, if he was willing to take all the tests, religious and political, lately imposed by law? To this, having answered in the negative, a sentence of deprivation was passed upon him, in which his acknowledgment of certain articles charged against him, and his refusal to embrace the different formulas prescribed, were blended together, as the grounds of the sentence.

The next person brought before the commissioners was Doctor John Strahan, Professor of Divinity. He, as well as the Principal, was served with an unsubscribed libel. But the form † and issue of the proceedings, the doctor's refusing to embrace the formulas, and the sentence of deprivation passed upon him, were so conformable to the case of Doctor Monro, that it is needless to describe the particulars. It does not appear that any other of the professors in the College of Edinburgh were deprived; and the violent proceedings adopted by the commissioners at Edinburgh were not imitated by the visitors of the other Universities.

Since the reign of William, that seminary of learning has not been disgraced by contests between opposite factions. Cherished by the munificence of her sovereign, and by the faithful care and attention of the magistrates of Edinburgh, the University has been daily becoming a more extensive academy of learning. New professorships have been instituted, as men of eminence appeared, qualified to instruct youth in the different branches of science; and, in the faculty of medicine, from some titular professors without lectures or students,

* Presbyterian Inquisition, from p. 22. to p. 47.
† Ibid. from p. 73 to p. 85.

LIBRARIES

Edinburgh has risen to be the first medical school in Europe. The number of students in the different professions, or who are studying philosophy or languages, annually resorting to this seminary of learning, have of late amounted to a thousand, of whom, about four hundred are pursuing the study of medicine.

The office of Rector having of late been discontinued *, Doctor William Robertson, Historiographer to his Majesty,

* List of the present Professors in the University of Edinburgh, with their respective salaries.

Faculty of Theology.

William Robertson, D. D. Principal of the University, and primary professor of divinity .	£.111	2	$0\frac{7}{3}$
Andrew Hunter, D. D. professor of divinity	161	2	$0\frac{2}{3}$
Robert Cuming, *Regius* professor of divinity and church history	100	0	0
James Robertson, D. D. professor of Oriental languages, librarian and secretary to the University	119	12	8

Faculty of Law.

Allan Maconochie, advocate, *Regius* professor of the law of nature and nations, upwards of .	£.200	0	0
Robert Dick, advocate, professor of civil law	100	0	0
David Hume, advocate, professor of Scots law	100	0	0
Alexander Fraser Tytler, advocate, professor of civil history, and Greek and Roman antiquities	100	0	0

Faculty of Medicine.

Alexander Monro, M. D. professor of anatomy and chirurgery.	£.50	0	0
William Cullen, M. D. professor of the pratice of medicine	0	0	0
Daniel Rutherford, M. D. *Regius* professor of botany	77	15	$6\frac{2}{3}$
† Francis Home, M. D. professor of *materia medica*	0	0	0
Joseph Black, M. D. professor of chemistry .	0	0	0
James Gregory, M. D. professor of the theory of medicine, and dean of the faculty of medicine .	0	0	0
Alexander Hamilton, M. D. professor of midwifery	0	0	0
John Walker, D. D. *Regius* professor of natural history	70	0	0

Faculty of Arts.

Dugald Stewart, M. A. professor of moral philosophy	£.102	4	$5\frac{1}{3}$
Hugh Blair, D. D. and William Greenfield, M. A. *Regii professores* of rhetorick and belles lettres	70	0	0
Andrew Dalzel, M. A. professor of Greek .	52	4	$5\frac{2}{3}$

† The salary of king's physician is divided among those gentlemen who have no salaries as professors.

and minister of the Old Gray Friars, Principal, is head of the University. The different professors are classed into four faculties, those of Theology, Law, Medicine, and Arts. There are, the Faculty of

Theology.

Dr William Robertson, Principal of the University, and Primary Professor of Divinity.

He teaches no class.

Dr Andrew Hunter, Professor of Divinity.

This gentleman gives lectures every Monday, Tuesday, Wednesday, and Thursday, during the session. On the Mondays he gives critical dissertations on the original text of the New Testament, taking occasion to answer such objections as are commonly urged by the adversaries of our faith to revealed religion in general, or the tenets of the Church of Scotland in particular. On Tuesday, Wednesday, and Thursday, he gives lectures on the short system of Divinity composed by Professor Picket of Geneva. Friday is devoted to the delivery of discourses composed by the students, on subjects prescribed to them. As the respective discourses are delivered, the professor desires the students, in general, to communicate any observations they may have made upon the discourse, at the same time calling up three or four of them by name, to deliver their opinions, the professor either sustaining the justice of their remarks, or pointing out their fallacy. There are commonly from a hundred and thirty to a hundred and fifty students of divinity at this University.

Robert Cuming, Regius Professor of Divinity and Church History,

Gives no course of lectures.

James Robertson, D. D. Professor of Hebrew,

Prelects upon the Hebrew grammar. When his students are instructed in the declension of nouns and verbs, he pro-

John Hill, L. L. D. professor of humanity .	£.52	10	0
John Robison, M. A. professor of natural philosophy	52	4	$5\frac{2}{3}$
John Playfair, M. A. professor of mathematics	113	6	8
Mr Robert Blair, professor of practical astronomy	100	0	0
John Bruce, M. A. and James Finlayson, M. A. professors of logic	52	4	$5\frac{1}{3}$

ceeds to read an historical book of the Old Testament, as also, to select poetical passages in holy writ. In this class the professor gives some lectures upon the antiquity, history, and genius of the Hebrew tongue.

In another class, which is intended for those who have been instructed in the principles of the language, he reads some of the Psalms, and books of prophecies, taking every opportunity to illustrate those passages that have a reference to Jewish antiquities. The professor also gives lectures on the principles of the Arabic and Persian languages. This course is chiefly calculated for those young gentlemen who are about entering into the service of the East India Company, and it has been found to be attended with considerable benefit.

Faculty of Law.

Mr Allan Maconochie, Advocate, Professor of the Law of Nature and Nations.

Mr Maconochie destines his course for gentlemen who have nearly completed their education at the University, on the most liberal plan. He traces the rise of political institutions from the natural characters and situation of the human species; follows their progress through the rude periods of society; and treats of their history and merits, as exhibited in the principal nations of ancient and modern times, which he examines separately, classing them according to those general causes to which he attributes the principal varieties in the forms, genius, and revolutions of governments. In this manner he endeavours to construct the science of the spirit of laws on a connected view of what may be called the natural history of man as a political agent; and he accordingly concludes his course with treating of the general principles of municipal law, political economy, and the law of nations.

Mr Robert Dick, Advocate, Professor of Civil Law,

Gives lectures to two classes. Those who enter upon the study, he instructs in Justinian's Institutes. The text-book upon which he lectures is Heineccius's Methodical Treatise upon the Institutes. To this class the professor generally reads the same course of lectures twice in the season. To his second, or more advanced class, he gives commentaries on the Pandects, choosing for his text-book *Heineccius ad Pandectas;* in both courses passing over such parts of the text as respect the *usus hodiernus* of the Germans.

Mr David Hume, Advocate, Professor of Scots Law.

The Professorship of Scots law in this University was not founded till after the beginning of the present century. Before that time, it was thought a sufficient education for the bar, that a young man had been taught the civil law, and was prepared for applying its doctrines to practice, by attending at the chambers of some advocate of eminence, or by observing the daily decisions of the Supreme Court. But this mode of gaining knowledge was both imperfect and tedious; and it was particularly unsuitable in those times, when the public were not as yet in possession of any elementary treatise of the law of Scotland proper for the private perusal of beginners.

A public professorship was accordingly established, in the year ——, to facilitate the introduction to the science. Mr Erskine of Carnock, who filled the chair for many years, with much credit to himself, and advantage to the public, contributed materially to lessen the labour of the study, by the publication of two works, the one a short compend of the Law of Scotland, the other an Institute at large; both of which are accounted very accurate and judicious performances. The former has been used by the professors since his time as a text for their prelections. However, the present Professor, Mr David Hume, not entirely approving of its arrangement, has laid it aside, and delivers a course of lectures without reference to any text, which may therefore be considered as forming, themselves, a kind of Institute of the Law.

Mr Alexander Fraser Tytler, Advocate, Professor of Civil History, and Greek and Roman Antiquities.

This very useful branch of education, which teaches the knowledge of men and of manners, had been for several years neglected in this University. Mr Charles Mackay, advocate, formerly gave lectures on the science of History, by commenting on the Epitome of Turselline, a very short chronicle of events from the beginning of the world to the end of the 16th century. These lectures had been discontinued for a period of twenty years. The present Professor, who has revived this necessary branch of education, considered the science of History in a more enlarged point of view, as the school both of politics and of morality. In his course of lectures, he describes the condition of society, and the progressive state of mankind from the earliest ages of which we have any authentic accounts, to the beginning of the present age. Departing from the order of a chronicle, which of necessity must present

a confused and uninstructive picture, he delineates separately the origin of the different states and empires, the great outlines of their history, the revolutions which they have undergone, the causes which have contributed to their rise and grandeur, and operated to their decline and extinction. He bestows attention, particularly, on the manners of nations, their laws, the nature of their government, their religion, their intellectual improvements, and their progress in the arts and sciences; and he takes care to inculcate to his pupils those important lessons of morality which the pages of history furnish.

Faculty of Medicine.

We have already remarked the deplorable state of the science of medicine* at Edinburgh, in the end of the last century; most of those who took upon themselves the title of Physician, being nothing else than quacks and mountebanks; and have also given some account of the Royal College of Physicians.† The first medical professors instituted at Edinburgh, were Sir Robert Sibbald and Dr Archibald Pitcairn, A. D. 1685. These illustrious names, however, in no ways tended to the establishment of a medical school. They were but titular professors. The Royal College of Physicians, although possessed of an exclusive right of *practising*, were debarred from *teaching* in Edinburgh; and, for thirty years afterwards, a set of lectures on the officinal plants in summer; in winter a superficial course of chemistry; and once in two or three years, the dissection of a human body by the titular professor of anatomy, completed the extent of medical education at Edinburgh.

The attempt towards having the different branches of physic regularly taught at Edinburgh, was first begun A. D. 1720. At that time, the father and predecessor of the present Dr Monro, being instituted a professor in the University, began a course of lectures on anatomy and surgery: as did Dr Alstone, at the same time, on *materia medica* and botany. Soon afterwards, Dr Rutherford was appointed to prelect on the practice of medicine. Doctors Sinclair and Plummer were also chosen to teach the theory of medicine and chemistry. The institution of the Infirmary gave the students an opportunity of hearing a set of clinical lectures, and the abilities of the professors in the various branches of this science, have been constantly augmenting the reputation of the University as a school for medicine.

The medical classes are opened on the last Wednesday of November, and from that time till the beginning of May, five

* See book 1. c. 4. † See book 2. c. 4.

lectures are given by each professor weekly, Christmas week excepted.

The professors in this Faculty are,

Alexander Monro, M. D. Professor of Anatomy and Surgery.

Both these branches are taught by this Professor, in one continued course of lectures and demonstrations. In each, he illustrates his doctrines not only by dissections, but also by a great variety of anatomical preparations, and by parts of morbid bodies preserved, which he and his father have been collecting at great pains and expence, for more than half a century. The whole of these preparations Dr Monro (we are assured) has bequeathed to the University in the event of his death; a circumstance we mention the more readily, as it may induce practitioners in the medical art to send him such things as may, with propriety, be added to his collection, the only public repository of the kind in Scotland.

William Cullen, M. D. Professor of the Practice of Medicine,

In his lectures on the practice of physic, treats of the particular diseases to which the human body is liable, describing their symptoms in such a manner, as critically to distinguish them from each other. He also gives an account of the remote, and attempts to ascertain the proximate causes of diseases. Founded upon the latter, the Professor delivers the method of cure peculiar to himself, at the same time taking care to inform his pupils of whatever the experience of past ages, or of the present times, has offered to the purpose of curing diseases.

Daniel Rutherford, M. D. Regius Professor of Botany.

The lectures on botany are delivered in the Botanic Garden during the summer season, viz. in the months of May, June, and July. The course begins with a short history of botany and botanical authors. This is followed by an account of the general structure and conformation of the various parts of vegetables; after which, is given the foundation of botanical arrangement, as an introduction to the explication of the Linnæan or sexual system. This system is illustrated by short histories of the various plants comprehended under the different classes, particularly of such as are of most use in medicine and the arts, and of the exotic plants preserved in the

Garden; at the same time, the different natural orders that may happen to fall within these classes, are particularly noted and characterized. The course concludes with the general facts and doctrines respecting vegetation.

Francis Home, M. D. Professor of Materia Medica,

Teaches that part of practical medicine commonly called *Materia Medica*. It comprehends the remedies made use of in the cure of diseases, and their general effects on the human body. The effects of alimentary substances in health and disease, make the first part of this course. The second comprehends the history, effects, and modes of operation, not only of simple medicines, but of every sort of simple remedy, application, or assistance, used by physicians in restoring health. The third part, called Pharmacy, treats of prepared and compounded medicines.

Joseph Black, M. D. Professor of Chemistry.

The lectures on chemistry, delivered by Dr Black, comprehend an enlarged view of this science, considered as a part of natural philosophy, explaining many of the most extensive operations and curious phenomena of nature. They also display a particular history of the objects of chemistry, their various qualities, and the changes they are made to undergo, to adapt them to the use of arts, particularly of pharmacy. The whole is illustrated with a great number of experiments and processes.

James Gregory, M. D. Professor of the Institutions of Medicine, or Theory of Physic.

The son of the late Dr John Gregory, professor of the practice of medicine in this University, teaches in one course, intended as a general view of the science of medicine, and, in particular, as a preliminary to the practice of it, the physiology, pathology, and therapeia; the first comprehending the doctrine of life and health; the second, the general doctrine of the nature, causes, and effects of disease; the third giving an account of the nature, effects, and mode of operation of remedies.

Alexander Hamilton, M. D. Professor of Midwifery.

This professorship was instituted by the town council of Edinburgh, A. D. 1756*. Dr Hamilton gives three courses in the year, each of which last about three months. They comprehend not only the practical part of midwifery, but the several diseases peculiar to women; likewise the management of new-born children, and the diseases to which they are subject.

To render this branch of education still more complete, the students have access, under certain regulations, to the lying-in ward, which was fitted up at the expence of the late Dr Young, in the Royal Infirmary; and there they have frequent opportunities of practising midwifery.

John Walker, D. D. Regius Professor of Natural History.

The Professorship of Natural History, in the University of Edinburgh, was instituted, by the crown, in 1767; and the

* Besides these various classes, there are some private schools for medicine at Edinburgh. Dr Aiken gives lectures on medicine, anatomy, and midwifery, and Mr James Russel on clinical cases in surgery. Two classes of medicine, are also taught by Dr Duncan. In the one, he gives a comprehensive view of the theory and practice of medicine. This course is chiefly calculated for affording to those who are entering upon the study of this science, an introduction to subjects afterwards to be considered on a more extensive scale; and for presenting to those who have already heard lectures on these branches of medicine, the various opinions and views concerning many doubtful, yet important questions, which are entertained by different teachers. In the other class, Dr Duncan prelects upon the cases of the patients admitted to the benefit of the Dispensary, (see *infra*, article Dispensary), explaining the nature of their diseases, prescribing towards their cure, and unfolding the reasons for the different prescriptions, similar to what is done in the clinical lectures given in the Royal Infirmary. As no branch of medical education is better calculated for conveying useful instructions to students, than proper remarks on diseases, as they occur in practice; and, as the benefits of this charity are confined to such patients whose particular chronical diseases make it improper for them to be admitted into an hospital, this institution must be of considerable utility. Of this the numerous students attending the class afford additional evidence. For the accommodation of his students, the Doctor has built a commodious teaching room in the neighbourhood of Surgeons' Hall.

late Dr Robert Ramsay was appointed Professor of that science, and keeper of the museum, or repository of natural curiosities, with a salary of L.70 *per annum*. At his death, Dr Walker succeeded to the chair; and, in the year 1782, read the first course of Natural History that had been given here; in which he took a more complete and systematic view of his subject than had ever been bestowed on it, considered as a distinct science. He divides his course into six great branches: 1. Meteorology. 2. Hydrography. 3. Geology. 4. Mineralogy. 5. Botany; and, 6. Zoology. In the three first the Doctor has revived the triple division of Hippocrates, in his book *De Aere, Aquie, et Locis*; the three last include what is called the *Imperium Naturæ*. On the head of Meteorology, the Doctor treats on the natural history of the atmosphere, of its gravity and temperature; the production of ice, snow, hail, rain, dew, fogs, &c.; the theory of winds, of meteors, of the seasons. Under Hydrography, or the natural history of the waters of the globe, he considers the phenomena of the ocean, its tides, its saltness, &c.; the origin of springs, of rivers, lakes, &c. Under the head of Geology he treats of the natural history of the earth in general, its mountains, continents, and islands, its inequalities and strata; the phenomena of volcanoes, earthquakes, &c.; with observations on the various theories of the earth. The Doctor illustrates his lectures on the subject of Mineralogy by an exhibition of the mineral substances themselves, from his own museum, which contains the most numerous collection of fossils that ever was made in this country. On Botany, the Professor confines himself to a philosophical history of vegetation and its phenomena. On the sixth and last branch, Zoology, he adopts the arrangement of Linnæus, and uses the *Systema Naturæ* of that author as a text book. Each division of his subject is introduced by its particular history, and an account of the various systems that have been fabricated by authors.

When Doctor Walker was appointed Professor, and keeper of the museum, he applied himself instantly to rescue from utter ruin the venerable remains of the famous collection of natural bodies made by Sir Andrew Balfour and Sir Robert Sibbald, which, about the beginning of this century, had been bestowed on the college, but which had afterwards been shamefully dilapidated. By his means many very valuable acquisitions and donations have been lately made to the Edinburgh museum. A catalogue of these is now kept; each individual body is accurately investigated, and a label affixed to it with its name. This is a labour which would have been undertaken, and could have been accomplished by no person of industry or enthusiasm inferior to his. Nothing now prevents this museum from making as respectable a

figure as many in Europe, except a proper place for its reception, which the old and narrow precincts of the present college do not afford.

Clinical Lectures.

Besides these branches of medical education, clinical lectures on the cases of patients in the Royal Infirmary, are given by Dr Home and Dr Gregory. The intention of this course is to show the students the application of the doctrines they have been learning to particular cases, to point out the varieties and particularities which occur in real practice, and to familiarise students to the sight and management of patients. The students also attend the ordinary physicians to the Hospital, to see, and to learn their practice. But with the clinical professors, they both see the practice, and have the reason of it explained; and those circumstances pointed out which deserve attention in the nature and progress of diseases. The clinical professors are allowed to choose, from among all the patients, those whom they think the most proper subjects for lectures. Two wards are assigned for their reception; one for the men, another for the women.

FACULTY OF ARTS.

John Hill, L.L.D. Professor of Humanity,

Teaches two classes. The first is attended by young gentlemen just come from the grammar school. The Professor pays much attention to the rules of syntax and parts of speech, thereby attempting to remedy such radical defects as sometimes arise from inattention, even in those students who had before been taught by the best masters. Parts of Cicero, Livy, Virgil, Terence, and Horace, are generally read in this class. Frequent exercises are prescribed to the pupils, in the way of turning English into Latin, and Latin into English; and the students are regularly examined as often as the numbers that attend the class will permit.

In the second class, which generally consists of those who have attended the first, prelections are read upon the darkest and most philosophical parts in Horace and Juvenal, as well as upon authors who are rarely, if at all, read at schools: Besides these, three lectures are read in the week. In one part of them, a character is given of the Latin classics, and an explanation of the principles of their composition. In another, a short history of the Latin tongue, and the changes it has undergone. In the last is delivered a compendious system of Roman antiquities. Topics chosen from these va-

rious branches are assigned to the students as the subjects of essays, which, after they have composed, they must deliver in public.

Andrew Dalzel, M.A. Professor of Greek,

Also teaches two classes, and meets with each of them two hours in the day. In the first class, the elements of the Greek language are grammatically taught. A part of the New Testament, of Xenophon, or of Lucian, together with some of the Odes of Anacreon, and a book of the Iliad, are read and explained. Upon all these the students are minutely examined, and the principles of general, as well as particular grammar, constantly inculcated.

In the second class, some part of the works of Herodotus, Thucydides, Demosthenes, or some other prose authors, are read, and grammatically and critically explained; so likewise are several books of the Iliad or Odyssey; of the Idyllia of Theocritus, or a tragedy of Sophocles or Euripides. As this class is attended by many students for three years, those who are in the first year of their attendance are arranged apart from the more advanced students, and examined upon easier authors. Those who attend it for two courses are admitted to the third gratis. Besides explaining the Greek authors, Mr Dalzel gives lectures, at least twice a-week, on the history, government, manners, the poetry, and eloquence, of the ancient Greeks. Exercises on these subjects are prescribed to the advanced students, and discourses delivered by them in presence of the principal, and other professors.

John Bruce, M. A. and James Finlayson, M.A. Professors of the First Philosophy, or Logic Class.

This professorship was instituted A. D. 1586. It was called '*the Philosophy, or Logic Class*,' a title which, in the diplomas of the University, it still retains.

Logic, which has for its object to teach the best method of investigating and communicating truth, is, in this course, as taught by Mr Finlayson, divided into four great branches.

1. The first is an inquiry into the human understanding, and contains an analysis of the different faculties employed in the search of truth, with a view of the errors to which each of them is exposed, and of the means by which it may be improved.

2. The second is a description of the objects towards which our intellectual powers are directed. Under this head, the principles of classification are explained; and an account is

given of the most celebrated systems of arrangement that have hitherto been made. To this account is subjoined a general division of the sciences, with some observations on the turn of mind suited to the study of each, and on the means by which that turn may be discovered.

3. The third is an inquiry into the best mode of applying the faculties of the understanding to the objects of nature, for the purpose of discovering truth. This is perhaps the most important part of the course; and in it are explained, 1. The nature of truth, and of the evidence by which it is established; 2. The means by which we are enabled to obtain that evidence in the different subjects of nature; and, 3dly, The sources of error, and the means by which it may be avoided.

4. When truth has been discovered, the fourth branch of the course teaches the most proper method of communicating it to others with perspicuity and precision. This part suggests a train of observations on the origin and progress of language; on the principles of universal grammar; and on the rules according to which a conversation, a debate, or a continued discourse, should be conducted, for the purpose of imparting knowledge and conviction.

To this course is prefixed a short history of philosophy. At a separate hour, the students are examined on the different subjects that have been discussed; and exercises are frequently appointed, to form them to habits of composition.

Hugh Blair, D. D. and William Greenfield, M. A. Regii Professores of Rhetoric and Belles Lettres.

Mr Greenfield, who is now joined with Dr Blair in this professorship, delivers a course of lectures on polite literature and eloquence, according to the following plan:

The course consists of two divisions, in the first of which are considered the general principles; and, in the second, the application of these principles to the different species of composition and public speaking.

Under the first division, he considers all the great ends of composition or public speaking, as reducible to three; emotion, instruction, and persuasion. Accordingly, he first treats of the various emotions, and points out such general observations as are suggested by the practice of authors, and the precepts of critical writers, both with regard to the most effectual means of raising them, and also with regard to the uses to which they may be applied. At the conclusion of this part of the course, he examines the questions concerning the nature, the improvement, the decline, and the standard of taste. The most effectual and agreeable methods of conveying instruction,

are the next subject, under which he comprehends both information and conviction, and treats of the use of the emotions in didactic compositions. He then proceeds to consider persuasion, which consists in the proper application of the means of convincing the understanding, and exercising the emotions.

These subjects are treated of in the order which has been mentioned, independently of the consideration of language. But as language is the great instrument employed by the author and public speaker for accomplishing their ends, this subject is next examined under the heads of purity, perspicuity, harmony, elegance, and animation. The consideration of delivery is reserved for that part of the second division which treats of the different kinds of public speaking.

The second division consists of an application of the general principles, in a critical review of the most remarkable species of composition, and of several of the most approved authors in each species. In this part of the course, Mr Greenfield treats of poetry, dramatic composition, public speaking, and the different branches of polite literature.

Dugald Stewart, M. A. Professor of Moral Philosophy.

The present Professor gives a course of lectures on moral philosophy, following chiefly the arrangement of Dr Ferguson's institutes of that science.

John Playfair, M.A. Professor of Mathematics,

Gives three mathematical courses every season, to different classes of students. In one of these are taught the first six books of Euclid's Elements, the principal propositions of the eleventh and twelfth, and the elements of plain trigonometry, and of practical geometry. In another course, the elements of algebra, of spherical trigonometry, and of conic sections, are explained. The third course treats of the doctrine of fluxions, with the application of it to the more difficult problems of pure and mixed mathematics.

John Robison, M.A. Professor of Natural Philosophy.

This gentleman's reputation in the science which he is appointed to teach, procured him the establishment of Professor of Natural Philosophy in the Marine Academy at Cronstadt, whence he was invited to teach the same branch in the University of Edinburgh.

Mr Robison confines his lectures to what may be called mechanical philosophy, considering those appearances only

which are exhibited in the *sensible* motions, and actions of the *sensible* masses of matter. The appearances in astronomy, vulgar mechanics, hydrostatics, pneumatics, magnetism, electricity, and optics, exhaust it. In this course, Mr Robison assumes the mathematical propositions as demonstrated, and contents himself with such a popular explanation of them, as will enable his hearers to see at least the probability of the doctrines; and he illustrates them by a course of experiments properly adapted. This he is able to render very ample, by the addition of about L.400 worth of instruments, lately made by the town council of Edinburgh to his apparatus, which is now the most complete of its kind in the kingdom. In this course of lectures, the professor pays very particular attention to the application of this science to the arts of life, with a view to the instruction of engineers and artizans.

Having completed the regular course, he gives, by way of supplement, an account of the attempts which have been made to explain, by analogy with the laws of mechanism, the internal constitution of bodies, with respect to solidity, fluidity, elasticity, &c. deducing from the best established principles the maxims which should be followed by the engineer. In like manner, he gives an account of the attempts toward a mechanical explanation of the appearances in chemical mixtures, and in the vegetable and animal economy.

For the benefit of those who wish to acquire a knowledge of natural philosophy, which they may apply with confidence to the arts of life, Mr Robison gives another course of lectures. In this, the leading mathematical propositions, assumed in the popular lectures, are discussed with great accuracy; and his hearers are enabled to peruse, with advantage, the writings of those eminent mechanical philosophers, who, since the time of Newton, have been daily enriching the science with new discoveries.

* * * * * *

The University of Edinburgh * is not inattentive in the mode of conferring degrees, those passports of learning, which, in former times, were so highly esteemed. The degrees she bestows are those of Doctor of Divinity, or of Law; Master of Arts, or Doctor of Medicine. Of these, the two first are honorary, and are generally conferred on men of known learning and abilities, who apply for any of them. The two last are not conferred till the candidates have undergone a strict examination, public and private.

* The wretchedness of the buildings in the College of Edinburgh, their insufficiency for the purposes to which they are applied, and a mode of remedying these defects, have already been mentioned, B. 2. c. 4.

The Faculty of Arts had, for many years, neglected their regular meetings; their degrees, consequently, were granted as a matter of form, and hence fell necessarily into disrespect. Of late, however, the Faculty have formed the best regulations for reviving the credit of their degrees, and rendering them a test of academical merit.

It is necessary that the candidate for this honour be a student in the University; if a native, of three, if a foreigner, of two years standing. He must undergo, first, a private examination before the Dean and Faculty of Arts, on the branches of literature and philosophy taught by them. He must afterwards recite and defend before the *Senatus Academicus*, a thesis upon any of the subjects taught by the faculty. This degree is sometimes conferred upon strangers. In this case it must be certified to the faculty, that the candidate has attended some university at least two years, and that he is a person distinguished by a literary character.

The medical degree of this university is not bestowed of course on those who, for a certain time, have attended the colleges; but is only given to those who, upon strict and impartial trial, appear to have made sufficient progress in the study of medicine. None can be admitted to trial, unless they have employed three years in the study of medicine, in this, or some other university where that science is regularly taught, and one of these years must have been spent at that of Edinburgh: nor can they be received, unless they have applied to the study of every branch of medicine, under their respective professors, viz. those of anatomy, botany, chemistry, *materia medica*, theory and practice of physic, and the clinical lectures.

The first trial undergone by the candidate, for a degree in medicine, is only known to the medical professors, and the candidate himself. It is kept secret, that the student may suffer no injury in character or fortune, if it should be found necessary to remit him to his studies. On this account, the first examination is held in the house of one of the professors, at a private meeting of the faculty of medicine. All the others are in the college.

The private examination, and the first examination in the college, are on general subjects in medicine. If the student acquits himself to the satisfaction of the professors, they give him an aphorism of Hippocrates, and a question on some branch of medicine, to be by him commented upon in writing, and explained. He is again examined on these subjects; and, if approven of, receives two histories of patients cases, on which he has to give a written opinion, explaining the nature of the diseases, and the mode of cure. On these also, he is examined by the professors who stated them, and then obtains

permission to publish his thesis, on which he is publicly examined by the medical professors. He then, by authority of the university, is promoted to the degree of Doctor of Medicine.

It is proper that we take notice of certain institutions connected with the university, and founded for the advancement of science. These are, the College Library, the Observatory, and the Botanical Garden.

Of the College Library.

The College Library is an earlier institution, by one year, than the University itself. It was founded by Mr Clement Little, advocate, A. D. 1580, and by him bequeathed to the town council, for the use of the citizens. The council ordered a house to be built for it in the * neighbourhood of St Giles's Church, where it was kept under the care of the eldest minister of Edinburgh; but, upon the erection of the College, it was removed thither. It has since been improved by several donations, but the collection is more numerous than valuable. Besides that, by the statute for the encouragement of authors, a copy of every book entered in Stationers' Hall, must be given to this library, the only funds which it has for improvement of the collection, are the money paid by all the students at the university, (those of divinity excepted,) upon their being matriculated; and a sum of L.5 given by each professor at his admission. The dues of matriculation are half-a-crown; but individuals, at their pleasure, pay from that to a guinea. What sum arises thence annually to the library, we have not been informed.

The books are lent out to the students, upon their consigning the value in the hands of the librarian. In the library are hung many pictures of the reformers, the most wretched portraits we ever saw.

Of the Observatory.

The design of an Observatory, for making astronomical observations, has been long formed in the city of Edinburgh; and, by a succession of unfortunate accidents, has not hitherto been carried into complete execution. The scheme for one had been almost fixed in the year 1736, when the distress in which the city was involved, in consequence of the Porteous mob, called the attention of the magistrates to matters more deeply interesting. Some years afterwards, the Earl of Morton, Lord Register of Scotland, gave L.100 towards the building of an Observatory; and he appointed the celebrated Mr

* Council Register, v. 6, p. 66, 81, 82.

Maclaurin, professor of mathematics, with the Principal, and certain professors of the University, trustees for managing this sum, and carrying the work into execution. Mr Maclaurin, intent upon accomplishing the design, read a course of lectures on experimental philosophy, the money arising from which he appropriated for that purpose. These sums amounting to about L.800, a draught of an Observatory was made out; application was made by Mr Maclaurin to the magistrates, and a grant obtained of part of the south-row of buildings, in the upper court of the College, which were to be pulled down, and the Observatory erected on their site; but Mr Maclaurin dying, the design was laid aside.

The money which had been collected for that purpose, was put in the hands of two persons, both of whom unfortunately became bankrupt. However, a considerable dividend was obtained out of their effects, in so much that, for principal and interest, a sum was recovered, about two years ago, of nearly L.400.

In the year 1776, Mr Short, brother and executor to Mr James Short, the celebrated optician, and F. R. S. came to Edinburgh, and brought along with him all his brother's optical instruments and apparatus, particularly his large reflecting telescope. Mr Short intended to erect an observatory, which was to be his private property, and he was to draw the emoluments arising from visitors who came to indulge their curiosity, or make their observations. Dr Alexander Monro, professor of anatomy, one of the trustees pointed out in the Earl of Morton's destination, conceiving that an observatory, erected on this footing, unconnected with the town council and university, would be little conducive to the purposes of science, and would be difficult of access to the students at the university, sent for Mr Short, and proposed to give him the funds in their disposal, for the purpose of building an observatory; and to allow him to draw the whole emoluments arising from the use of his apparatus, for a certain series of years: But on condition, that the students should, in the mean time, have access to the observatory for a small gratuity; and that the building, with all the instruments, should be vested in the town council for ever, as trustees for the public, and become their absolute property, after the lapse of a certain period. Mr Short readily agreed, and the town council were applied to for their concurrence and patronage.

Upon this application, the council granted to Mr Short, his sons, and grandsons allenarly *, a liferent lease of half an acre of ground on the Calton Hill, upon the conditions, and for the purposes already specified; and for the more effectually

* Council Register, May 22, July 10, 1776.

carrying it into execution, they, at the same time, set on foot a subscription for defraying the expence.

A plan of the intended building was made out by Mr Craig, architect, and the foundation stone was laid by James Stodart, Esq. then Lord Provost of Edinburgh, accompanied by the magistrates, and the Principal, and professors of the University, on the 25th of July 1776. About this time, Mr Robert Adam, architect, happened to come to Edinburgh. Upon seeing the intended observatory, founded upon the top of an high and abrupt hill, which terminates in a precipice, he conceived the idea of giving the whole the appearance of a fortification, to which it was excellently adapted. Accordingly the line was chalked out for inclosing the limits of the observatory, with a wall constructed with buttresses and embrasures, and having Gothic towers at the angles. The beauty of the design was so much admired, that the main object was forgot. The workmen left the observatory, already half built, and turned themselves to raise the tower on the south west brow of the hill. This was greatly promoted by Mr Short, who, in the tower, saw an excellent accommodation for himself and family. Upon this building was exhausted all the money destined for the observatory; and besides, a considerable arrear was incurred to the tradesmen. To discharge this, the Duke of Hamilton having gained, at Leith races, in July 1777, his Majesty's purse of a hundred guineas, generously bestowed it for that purpose. Still, however, this sum of one hundred guineas was only applied to discharge arrears already incurred; the building was not advanced an inch. The magistrates have not hitherto given a farthing towards completing a work, which was not only to be of benefit to the university, but the means of securing a property vested in them as trustees for the public. They have not subscribed themselves, nor of late encouraged the subscription in others; notwithstanding the professor of natural philosophy has generously offered to read a course of lectures on experimental philosophy, and to apply the profits of the class towards finishing the observatory. Thus an optical instrument, perhaps the finest in the world, is lost for want of a proper place to keep it in; and the observatory stands a half-finished work upon the highest hill of Edinburgh, speaking this emphatic language to the eye of every beholder: 'Here is a building, which the folly of its contrivers led them 'to begin, without considering, that, by their poverty, they 'were unable to finish it.'

Of the Botanical Garden.

The Botanical Garden is generally visited by strangers, and considered as one of the ornaments of the city of Edinburgh.

The flower garden belonging to the palace of Holyrood-House, and the small inclosure immediately to the east of the new bridge, were formerly used as botanic gardens: But these, from soil, situation, and other circumstances, being unfit for the purpose, Professor Hope represented to the Lords of the Treasury, that it would be much for the interest of the country in general, and of the city of Edinburgh in particular, that a garden of proper extent and soil should be made. His Majesty thereupon was graciously pleased to grant the sum of L.1330 : 1 : 2⅔ for making it, and for its annual support the sum of L.69 : 3 : 0. At the same time, the magistrates and town council of Edinburgh granted the sum of L.25 annually, for paying the rent of the ground.

These funds, for the support of the garden, being found insufficient, and some improvements being necessary, application was lately made to the Lords of the Treasury; and thereupon his majesty was pleased to grant a sum of money for making the requisite improvements, and an addition of L.50 annually for defraying the expence.

The Botanic Garden, consisting of five acres English measure, is situated on the west side of the foot-walk to Leith. The soil, in general, is light, either sandy or gravelly. In the centre of the garden, a spring of water is formed into a bason. Although it is not above twelve years since it was applied to botanical purposes, it is now richly stocked; and the trees are so far advanced, as to afford good shelter to the small and tender plants *.

In the east division of the garden, there is a large area, called the School of Botany, where the plants are systematically arranged. On each side of this area are placed the officinal plants, shrubs, and trees, according to their sizes. This division contains about 2000 species of plants.

The west division of the garden, of which the conservatories and bason of water, from the centre, is planted in an agreeably irregular manner, where the chief study has been to protect the tender plants, by a proper arrangement of hardy trees; and so to place those, that at least one of every species may be seen, in the course of the serpentine walk around this division, which is called the *Sylva Botanica*, and contains a great number of plants.

The conservatories, from a front of 140 feet, and consist of a green-house in the centre, and a hot-house at each end, connected with the green-house, by a room of passage; yet

* This rapid progress of the garden, was much owing to the skill and diligence of John Williamson, the principal gardener. Some willow trees, from small cuttings, planted eleven years ago, are 32 feet high, at one foot above the surface, measure 33 inches in circumference.

they are already insufficient to contain the collection of exotic plants received from all quarters.

Of these, the following, among others, merit attention:

Alstroemeria.

Colinsonia Didyma, unknown to Linnæus.

Illicium anisatum, a most beautiful aromatic evergreen from Florida.

Musa sapientum, the Banana, which last year produced ripe fruit.

The tea-tree, which was in full flower last summer, and a number of Abyssinian plants, the seeds of which Mr Bruce of Kinnaird gave to the professor. Among these is the plant which cured him of the dysentery.

The Caira, from the East Indies, a species of Mimosa, unknown to Linnæus and the European gardens. The extract from the wood of this plant, is the terra japonica of the shops; an account of the preparation of which, was sent, along with the seed, by Mr James Ker, surgeon at Dacca, Bengal.

And, *lastly, the Moving Plant*, the seeds of which were also sent by Mr Ker, with the following account of this wonderful vegetable:

'It is there called *Burrum Chundalli*. It grows about four 'feet high, and in autumn produces bunches of yellow flowers, 'resembling the French honey-suckle. The root is annual or 'biennial. Like many of the pea tribe, it is trifolious; the 'lateral leafs are smaller than those at the end; and all day 'long are in constant motion, without any external impulse. 'They move up or down, and circularly; this last motion is 'performed by the twisting of their foot stalks. While one 'leaf is rising, its associate is generally descending. The 'motion downwards is quicker, and more irregular than the 'motion upwards, which is steady and uniform. These mo-'tions are observable for 24 hours, in a branch that is loped 'off from the shrub, if it has been kept in water. If from any 'obstacle the motion is retarded, upon the removal of that 'obstacle, the motion is resumed with a greater degree * of 'velocity.

In A. D. 1778, a monument was erected in this garden, in memory of Linnæus. It is a vase supported on a pedestal, with this inscription: 'Linnæo posuit Jo. Hope.'

We cannot omit adding, that, in a small inclosure behind the garden, the professor has a plantation of the true rhubarb, consisting of three thousand plants, most of which are now six or seven years old.

* The *Burrum Chundalli* has grown luxuriantly in a hot-bed in the Botanic Garden; and, when the weather favoured, was regular in its motions, as described above.

Of the High School.

The earliest traces we have been able to discover, of a public grammar school countenanced by authority of the magistrates, are in A. D. 1519. To encourage * that institution, which had then been subsisting, the town council ordered the inhabitants to put their children to the High Grammar School, prohibiting them from putting the boys under their charge to private schools within the town, to learn any thing save the primer, and certain other books then given to children, beginning to be instructed in reading.

The town council being disappointed by the instances of the bishops, chancellors of the three universities, in their first application for authority to erect a college, set themselves about † building a new school house. The spot chosen for this purpose, was a part of the lands bestowed upon them by Queen Mary, which had formerly belonged to the monastery of Black Friars. A contract was entered into with a mason, for erecting the building, for which he was allowed L.260 Scots, which, considering the difference of weight in the nominal pounds, and in the quantity of alloy mixed with the bullion, was about L.40 of our present Sterling money. At that time there appears to have been two teachers belonging to this school. They had a trifling salary, the extent of which we cannot ascertain; and they were obliged to teach the sons of freemen of the borough *gratis*. The encouragement they received was so small, that the masters threatened to leave the school, if it was not bettered; upon which they were appointed to receive a quarterly fee from the sons of the freemen; the masters of three, the usher ‡ of two shillings Scots from each: And all were prohibited from teaching schools, without licence from the magistrates.

Soon after, four teachers were appointed, with ‖ fixed salaries and fees, which have been occasionally augmented with the dearness of living. The present establishment consists of a rector and four masters; of whom the rector has a salary of L.33 : 6 : 8, the other four of L.20 Sterling. The stated fees are, to the rector and masters, from every boy in his own respective class, five shillings quarterly, and to the rector, from all the boys at school, who are not at his own class, one shilling each, and to the janitor sixpence each; but the fees com-

* Council Register, v. 1. p. 11. † Ibid. v. p. 96.

‡ Nearly 6s. and nearly 4s. Sterling. The dues paid by the children of persons not free of the borough, are not mentioned.

‖ Council Register, p. 193, 194.

monly paid are higher, generally half-a-guinea a quarter. This is esteemed an excellent school for instruction in the Latin tongue. The parents and tutors of the boys have admission at any time, to hear and observe the progress of the respective objects of their concern; and annually there is a public examination in presence of many people of distinction and learning. At this exhibition, the boys (we are told), really acquit themselves well, according to the time which they have studied; not like parrots prattling a lesson inculcated for the purpose, but ready *ad aperturam libri* to explain such books as they have read; and that they are well founded in the parts of speech and constructions. The number of boys attending this school is about 400.

The same building which was destined for the accommodation of the scholars A. D. 1578, notwithstanding the great increase of their number, and the total change in the manners of living, has continued applied to the same purpose these two hundred years. As, however, the boys are very much crowded, and the rooms are in most respects inconvenient, the town council, last year, began to build a new * school-house, immediately east from the old one. For this purpose, they solicited the aid of public subscription, which was liberally granted.

The total length of this building is 120 feet from south to north; the breadth at the middle, (exclusive of the stair-cases) is 36 feet, at each end 38; all over walls. The great hall, where the boys meet for prayers, is 68 feet by 30. At each end of the hall, there is a room of 32 feet by 20, intended for libraries. The height of this story is 18 feet. From the great hall, there are ascents to the second floor by three different stair-cases, each 15 feet by 14 over wall. This floor is disposed into five apartments, for the five classes, besides some small rooms for the conveniency of the masters. Their dimensions are; of the rector's class, in the centre, 31 feet by 25; of the class on each side, adjoining to the rector's, 31 by 21; of those at the two ends of the building, 33 by 20 feet 6 inches. The height of this floor is 17 feet. The apartments will be fit for being occupied next year. The expence of the whole is estimated at L.3000. In the history of this school there happened a singular event. In the year 1595,

* The foundation of this building was laid by Sir William Forbes, Grand Master of the Free Masons, 24th of June, 1777. Previous to it, there was a procession of the different Mason Lodges in the city, of the Lord Provost and Magistrates, the Principal and Professors of the University, and of the boys themselves, dressed in their gayest attire. The whole witnessed by an infinite concourse of spectators.

the boys becoming tumultuous, shut the gates of the school against their teachers. Application was made to the magistrates for their assistance, and one of the bailies, endeavouring to appease the tumult, was shot through the head with a pistol, by a scholar of the name of Sinclair. The powerful interest of the murderer, perhaps joined to some favourable circumstances * now forgotten, obtained for him a royal pardon.

Of the Academy for Drawing.

The Board of Trustees for the encouragement of manufactures, &c. in Scotland, in A. D. 1772, appointed Mr Alexander Runciman, painter, to teach twenty boys or girls drawing, allowing him a yearly salary of L.120. For the accommodation of this school, the town council have given Mr Runciman the use of two apartments in the College. The Board bestows L.15 yearly, to be distributed among the scholars by way of premium, for the first, second, and third best drawings. The time limited for each pupil's continuing under Mr Runciman is four years, that being deemed sufficient for any boys or girls, of moderate capacity, acquiring a knowledge in drawing sufficient to assist them in their respective occupations; this institution being solely appropriated for the use of manufactures, not intended as an academy of painting.

Of the Royal Academy, or Riding School.

As Edinburgh afforded a very general seminary of education, the nobility and gentry displayed a laudible solicitude to render it complete, by instituting a Riding School. The advantages accruing from this branch of education are so various, that we must express equal applause to the promoters of the institution, and surprise at its not being more generally attended. To ride well, besides being a graceful accomplishment of the person, contributes to ease and security, in an exercise the most conducive to health; an exercise which, in many cases, affords the only mode of travelling; which bestows the pleasures of the chase without fear or danger; and which enables one to serve his country in the field of battle We wonder, therefore, how a young gentleman's education can be deemed complete, if he is not taught to ride well: And we must impute the neglect of this branch of education either to a base effeminacy, which considers riding as an useless toil; or to a species of that same barbarism which formerly displayed itself in such contempt of science, that, at a hundred years after the establishment of universities, it was

* Council Register, v. 10. p. 42.

found necessary to compel * gentlemen, by public statute, to put their eldest sons and heirs to school.

The riding school was built by subscription. The sum raised during the first three years amounted to two thousand seven hundred and thirty-three pounds fifteen shillings. The town council of Edinburgh gave the subscribers a piece of ground sufficient to answer their purpose. The school was opened in the year 1764; and in 1766 the royal patron of liberal arts issued letters patent under the great seal, erecting the present and future subscribers into a body-corporate, entitled, *The Royal Academy for Teaching Exercises.* And granted warrant for paying a salary of two hundred a-year to the teacher of this academy.

The riding school is a hundred and twenty feet long by forty broad. It is accommodated with stables large enough not only for the horses necessary to the academy, but also for livery horses, which are properly taken care of, and broke for the saddle. And there is an area without the building sufficient for an open manage. It is doing but justice to the master of the academy, to observe, that his abilities, which indeed had already procured him an honourable appointment at the court of Russia, fully correspond with the purpose of the institution; and that he deserves public encouragement, not more from his skill as a teacher, than his manners as a gentleman. His scholars exhibit undoubted specimens of their progress to the numerous spectators who witness his annual carousals. And as an incitement to emulation, a gold medal, given by the city of Edinburgh, is, on these occasions, presented by the Lord Provost to the victor.

Of the Academy for the Deaf and Dumb.

Besides the schools and colleges of public institution, a school of instruction of the most curious and important nature is taught by Mr Braidwood; for it may be said, in effect, to give the deaf to hear, the dumb to speak.

Mr Braidwood first attempted this art about the year 1764. He began with a single pupil. He now has a number of pupils, mostly from England, but some also from America; and his success in teaching them has exceeded his own expectations. He begins with learning the deaf articulation †, or the use of their vocal organs; and, at the same time, teaches them to write the characters, and compose words

* James IV. parl. 5. c. 54.

† A treatise on this subject was written A. D. 1692, entitled, 'Surdus 'loquens, seu methodus qua qui surdus natus est loqui discere possit. Studia 'et industria Joh. Conradi Amman. Med. Doct. Scaffusa-Helvet. Amstelo-'dami apud Henricum Westenium M,DC,XCII.'

of them. He next shows them the use of words in expressing visible objects, and their qualities. After this, he proceeds to instruct them in the proper arrangement of words, or grammatical construction of language.

The deaf (Mr Braidwood observes) find great difficulty in attaining pronunciation, but still more in acquiring a proper knowledge of written language. Their only method of conversing is by signs and gestures. Their ideas are few, being entirely confined to visible objects, and to the passions or senses; the former of which they delineate by figures, the latter by gestures. The connection between our ideas and written language being purely arbitrary, it is a very hard task to give the deaf any notion of that mode of conversing, theirs being only hieroglyphical. Another, and still a greater difficulty, is to enable them to comprehend the meaning of the figurative part of language. For instance, they soon understand *high*, *low*, *hard*, *tender*, *clear*, *cloudy*, *&c.* when applied to matter, but have not the smallest conception of these qualities when applied to mind. Notwithstanding these difficulties, the deaf attain a perfect knowledge of written language, and become capable both of speaking and writing their sentiments in the most distinct manner, and of understanding fully what they read. Being thus advanced, they are capable to learn any art or science (music excepted), and to translate one language into another. Mr Braidwood's pupils are under his tuition from three to six years, according to their age, capacity, and conveniency.

When we visited this academy, we found, that the boys not only could converse by the help of the artificial alphabet they learned, by putting the fingers into certain positions, but that they understood us, although perfect strangers to them, by the motion of our lips. In this manner they actually conversed with us, returning an answer to us distinctly, yet slowly, *viva voce*. It is needless to expatiate upon the encouragement due to the author of a mode of instruction so ingenious, as well as important to an unfortunate part of mankind. We cannot conclude, without expressing our hopes, that this valuable art does not depend upon the precarious tenure of a single life, but that Mr Braidwood has communicated so much of his method, as to enable some one to give similar instruction.

OF LITERARY SOCIETIES.

Of the Society for Propagating Christian Knowledge.

From the nature, as well as the management of this institution, there are many objections to the propriety of classing

it among literary societies. As, however, the original proposals, set forth in its constitution, promise advantageous purposes to certain parts of the community, and as it has been constituted into a body-corporate by royal charter, it is our duty to take notice of it in a history of Edinburgh.

This society seems to have been indebted for its institution to a zealous aversion from popery, an antipathy which is still the characteristic of the generality of its members, and which is again bursting forth with the fury of a contagion. In the year 1701, the design was framed of constituting a society, and of raising subscriptions for planting schools in the Highlands, for instructing children in reading * and writing, and in the principles of our religion; for rooting out the errors of popery; nay, for *converting of foreign and pagan nations.* This society was erected into a body-corporate by Queen Anne, with powers to them to receive subscriptions, and to hold lands, &c. not exceeding the yearly value of L.2000; and these for the propagating of Christian knowledge, and erecting and maintaining of schools. The society enlarged their plan, proposing to instruct children in trades and manufactures; for which purpose they applied for, and obtained a charter from his late majesty. They still continue to have schools in the Highlands for the instruction of children.

Of the Philosophical Society.

When the Royal Infirmary was instituted, it was expected, that many cases might occur, of the patients received into that hospital, of which the history might furnish materials for medical essays. To compose and publish such essays from time to time, a society, consisting of the professors of medicine, and other gentlemen of that faculty, was formed A. D. 1731. This society published their first volume of *Medical Essays* A. D. 1732. They afterwards published five more. These volumes have undergone five editions, and been translated into the French, Dutch, and German languages. Such, indeed, is their merit, that Doctor Haller, an excellent judge, has observed, that no physician can well be without them.

After the first year of this institution, the members grew remiss in their attendance upon its meetings, and in the discharge of their duty; so that the care and trouble of compiling the medical essays fell almost entirely upon the late Doctor Monro.

The Medical Society was succeeded by the Philosophical, on the more extensive plan of including the different branches of natural knowledge, and of the antiquities of Scotland. The

* Maitland's History, from p. 471. to p. 480.

Rebellion, however, which broke out in A. D. 1745, and the death of Professor Maclaurin, one of its most eminent members, soon interrupted the meetings. The Society, however, was revived about the year 1752; and in 1754, they published a volume of *Essays, Physical and Literary*, which has met with a favourable reception, as have the two subsequent volumes published by them.

This society still continues to meet occasionally; so that additional volumes on the same plan may be expected.

Of the Medical Society.

The societies instituted by young gentlemen for the improvement of public speaking, and of some particular branches of science, deserve notice as schools of education. Even the voluntary institution itself, of societies for promoting such beneficial purposes, breathes forth a laudable spirit; and we may aver, without flattery, that the effects resulting from these institutions have fully corresponded to the intentions with which they were founded.

The Medical Society appears to have been cœval with * the institution of a regular school of medicine in the University, by the establishment of professors in the different branches of that science. Dr Cullen, Dr Fothergill, and others of the most eminent physicians in Britain, were among the first of its members. None of its records, however, of an earlier date than A. D. 1737, are now preserved. Since that time, the greater part of the medical students at the University, who have distinguished themselves by their ingenuity or diligence, have been members of this society; nor is any one admitted into it till he has been of some standing in the study of physic. But, their being erected into a body-corporate, was, by charter from his present Majesty, of so recent a date as 14th December 1778.

This society is intended as a branch of medical education, and a source of farther discoveries and improvements in that science, and those branches of philosophy most intimately connected with it. The members, at their weekly meeting, read, in rotation, discourses on medical subjects, which, at least six months previous to their delivery, had been assigned to them by the Society, either at their own request, or by lot. And, before any discourse be publicly read, it is communicated in writing to every member, three of whom are particularly appointed to impugn, if necessary, its doctrines. From these

* This Society was entirely distinct from that already taken notice of, as instituted for the purpose of publishing medical essays.

circumstances, the author of every discourse is induced to bestow the utmost pains in rendering it as complete as possible; and the other members have an opportunity of coming prepared to point out every other view in which the subject can be considered. Thus, emulation and industry are excited, genius is called forth, and the judgment exercised and improved. By these means, much information is obtained respecting facts and doctrines already published; new opinions are often suggested, and farther inquiries pointed out. And it is acknowledged by all who are acquainted with the University of Edinburgh, that the Medical Society has contributed much to the prosperity and reputation of this school of physic.

If this institution has formerly been productive of advantages, still greater benefit may now be expected from it; for, by subscriptions from the members, and some other gentlemen desirous of encouraging so useful an institution, they are now accommodated with a building that will enable them to prosecute inquiries which they could not formerly pursue. This building is erected in the neighbourhood of Surgeon's Hall, on an area bestowed on them by the incorporation of surgeons. Besides small apartments, it contains three rooms of thirty feet by twenty each. One of these serves as a hall for their weekly meetings, another as a repository for their valuable collection of medical books, of natural curiosities, and anatomical preparations; and the third is to be fitted up for chemical experiments, when the society's funds, or farther contributions, enable them to defray the expence. When the different apartments are furnished with a proper apparatus, the students at this university will enjoy advantages which are not to be obtained at any other seminary of medical education.

The building has a plain handsome front; and the roof terminates in a cupola, intended for an observatory, and adorned with the ensigns of the Æsculapian art.

Of the Speculative Society.

The Speculative Society was instituted for improvement * in public speaking, and in science in general, without having peculiar reference to any of its branches. The members meet weekly during the sitting of the College, in a hall built by themselves, † on a spot of ground on the south side of the College area, granted them for the special purpose, by the town council of Edinburgh, at the recommendation of the Principal of the University. The gentlemen discourse in rotation upon any literary subject they incline; and these performances un-

* A. D. 1764. † A. D. 1769.

dergo a very free criticism. The rest of the evening's entertainment consists of a debate upon a subject previously appointed, which is opened by one of the members in rotation, and discussed by the society at large.

Far from a promiscuous admission into this society, it is restricted to a very limited number; and such has been its reputation, that the number of candidates for supplying vacancies, has afforded the society an opportunity to select those who are distinguished for capacity, industry, and decorum. It consists of gentlemen who follow respectively all the liberal professions; but the greatest number belongs to the law *: and it has already furnished several professors to the Universities of St Andrews and Edinburgh.

CHAPTER IV.

OF the Art of Printing, and of Periodical Publications—Literary Property—Liberty of the Press—Medical and Philosophical Commentaries—Scots Magazine—Weekly Magazine—Edinburgh Courant—Caledonian Mercury—Edinburgh Advertiser.

WE have already had occasion to remark the introduction of the art of printing † into Scotland; that, in its infancy, the art was by no means profitable to those who carried it on; and that the press was ever the object of the jealousy and oppression of the reigning party. The art of printing appears to have been introduced into Scotland, A. D. 1509. A Breviary printed in that year, composed by the Bishop of Aberdeen, for the use of his cathedral, is preserved in the Advocates' Library. It consists of two volumes. The title page of the first, and some leafs at the end, are wanting. The second volume, which was printed A. D. 1510, has, at the beginning, a callendar, and at the end these words: '*Opido* '*Edinburgensi impresso jussu et impensis honorabilis viri Walteri* '*Chepman ejusdem opidi Mercatoris quarto die Junii millesimo* 'ccccc *decimo.*' On the outside of this leaf is a woodon engraving, representing a man and woman, their under parts clothed with skins of beasts, their shoulders bare, their heads adorned with wreathes of flowers. They are standing one on

* When the city of Edinburgh was this year raising a regiment in support of government, this society gave a hundred guineas towards that purpose.

† Book I. c. 2.

each side of a tree; on the tree hangs a shield, on which is engraved the cypher of W. C.

But the name of no * Scots † printer is preserved earlier than A. D. 1541. In that year some new acts of parliament were printed by Thomas Davidson, king's printer. This book, which is also preserved in the Advocates' Library, is as beautifully executed as any to be seen at this day, especially when we consider that it is printed on vellum. As a frontispiece, it has the arms of Scotland engraved; and at the end, a picture of Christ on the cross, surrounded by a multitude of figures. On that same year, a translation of Boetius, was printed on paper by Davidson. Some time afterwards, the acts of parliament, from the reign of James I. downwards, were printed by Robert Lekprivik, the king's printer, by whom a number of books were published, and who had printing presses at Edinburgh, St Andrews, and Stirling. A folio Bible was printed at Edinburgh, by Thomas Bassandyne, A. D. 1576, *Buchanani Historia*, by Alexander Arbuthnet, king's printer, 1582, and a folio Bible by Andrew Hart 1610. ‡ These books were as fairly and correctly printed, as those published at the time in any part of Europe. The last, in particular, was so much esteemed, that many subsequent impressions of the Bible bore upon the title page, '*conform to the* '*edition printed by Andrew Hart.*'

Besides the printers already mentioned, Nefield, Waldgrave, Raban, Bryson, and Young, are counted among the early supporters of the Scottish press. The last of these was printer to King Charles I. He published a book of Common Prayer in folio, at Edinburgh, A. D. 1637, far superior to those executed in England at the same period. The merit of this performance was its author's ruin; he was compelled by the covenanters to fly the kingdom.

After the commencement of the civil wars, in the reign of Charles I. the art of printing fell into decay. Evan Tyler, who then held the office of King's printer jointly with Young, who was obliged to fly for executing an edition of the prayer-book, deserted his master's interest, and became printer to Cromwell. He, in his turn, was obliged to fly, a sentence of forfeiture having passed against him at Scoon, when Charles II. was in Scotland A. D. 1650; but Cromwell prevailing, Tyler assigned his patent to some stationers at London, who sent down Christopher Higgins, with some English journeymen. These carried on the business at Leith. It chiefly consisted in reprinting newspapers first published at

* Ames, p. 573, 576.

† A copy of Boetii Historia Scotorum was printed at Edinburgh, A. D. 1526, by *Jodocus Badius Ascensius*, a foreigner.

‡ Watson's History of Printing, pref. p. 8, 9, 10.

London, and in printing some small books, and these too very badly. Higgins dying, the London stationers appointed Patrick Ramsay, a Scotsman, overseer of the work; but the business not turning out to good account, the proprietors of the printing-house sold it to several booksellers, who divided and set up distinct offices, where they printed school-books and treatises on divinity in a very clumsy manner.

After this, Archibald Hyslop, a bookseller, set up a printing-office, jointly with William Carron, a printer and excellent workman. They brought new materials from Holland, and printed Thomas-a-Kempis, and some other little books, very neatly. While the art seemed thus to revive, it received an almost mortal blow, through the tyrannical administration of Charles II. an administration, whose attention seems to have been divided between exalting the royal prerogative, and gratifying their own rapacity; but seldom applied to a consideration of the welfare of the people.

Andrew Anderson, formerly a printer in Glasgow, having set up in Edinburgh, prevailed on the other printers in the city to apply for a patent to be taken out in the name of Anderson, by which they were to be jointly vested with the office of king's printer. The succeeded in their application, and obtained so broad a patent, *that no one in the kingdom durst print any book, from a Bible to a ballad, without licence from Anderson.* Soon after the company disagreed, they apprehended themselves to be injured by the acting partners, and they sold their shares in the printing-house and patent to Anderson's widow, (Anderson himself being dead), who thus became possessed of a monopoly of the art of printing over all Scotland. Anderson, and after him, his heirs, being possessed of so precious a gift, made, as was natural, the most of it. On the very first year, he printed a * New Testament, so full of errors, that the privy council prohibited the sale of the incorrect copies, and strictly enjoined the printers, that the future editions of the scriptures should undergo an accurate revisal.

Notwithstanding this injunction, (to use the words of a contemporary writer) 'Nothing came from the royal press, 'but the most illegible and uncorrect Bibles, and books, that 'ever were printed in any one place in the world. She † 'regarded not the honour of the nation, and never minded 'the duty lay upon her as the ‡ sovereign's servant. Prentices, instead of the best workmen, were generally employed 'in printing the sacred word of God. And, in fine, nothing

* Rec. of Privy Council, No. 2. p. 441, 457.
† Mrs Anderson, the patentee's widow.
‡ Watson's Hist. of printing, pref. p. 13.

'was studied but gaining of money by printing of Bibles at 'any rate, which she knew none other durst do, and no body 'could want them.' To procure a sale of the trash which she published, it was necessary that a persecution of all the printers should be set on foot, who had ventured to exercise their employment. Accordingly, Sanders of Glasgow, Reid of Edinburgh, and Forbes of Aberdeen, were prosecuted; and, besides the expence of litigation, they had their printing-houses shut up, and were themselves fined and imprisoned.

The destruction of a liberal art, by persecuting tradesmen for carrying on their lawful employment, and the avaricious motives which dictated that oppression, excited an universal murmur. Upon the Duke of York's coming to Scotland, John Reid, one of the printers, whose house had been shut up, complained to his royal highness of the oppression which he and his brethren of the trade had undergone through the extensiveness of Anderson's patent. The matter being moved in the privy council, the duke declared, that it could only be the king's pleasure that his printer should enjoy those privileges which his royal predecessors had been in use to grant to their printers; such as printing of Bibles, acts of parliament, &c.; upon which the privy council allowed the printers to carry on their ordinary work. Being thus curtailed in her privileges, Mrs Anderson resolved to prosecute the more rigorously those which remain to her. From the printers she turned upon the booksellers, and seized a quantity of Bibles which they had commissioned from London, merely because those of her printing were illegible. The booksellers complained to the privy council, and printed the *errata* of one of Anderson's Bibles, and laid it before them. After long debate, they not only ordered the books to be returned, but, in defiance of Anderson's patent, granted permission to all printers and booksellers to publish Bibles. To this, indeed, a condition almost impossible was annexed, 'That every sheet should be 'revised by the clerk of privy council;' and it does not appear that ever any Bibles were printed in consequence of this permission.

As the badness of the patentee's workmanship destroyed the sale of her Bibles, so it was likewise the means of depriving her of the liberty of printing the acts of parliament. Sir Thomas Murray, of Glendoick, having digested the statutes more carefully than * had been done formerly, obtained liberty from Charles II. to employ, in printing them, those whom he should find most capable to execute so important a work. Sir Thomas having contracted with David Lindsay, merchant in Edinburgh, and John Cairns, printer, who had now got the printing-house of Hyslop, formerly mentioned, a

* Watson's History, Pref. p. 15.

patent was made out, giving them the sole privilege of printing the acts of parliament for nineteen years. To execute the work, two tradesmen, Joshua Van Solingen, and Jan Colmar, and new materials were brought from Holland. Cairns dying, the Dutchmen acquired the property of the printing-house, and published the folio acts of parliament; a book, which, in its execution, will not suffer, by comparison, with any printed about the same period.

As Mrs Anderson, notwithstanding the check she had received from the privy council, harrassed the Dutchmen in the exercise of their business, Lindsay, who contracted for publishing the statutes, obtained a patent from Charles II. for himself and his partners for printing any book that was not the peculiar privilege of the king's printer; and, in this patent, that of Mrs Anderson is termed a monopoly. Lindsay protected the Dutchmen, by taking them into partnership; and they, in return, gave him a share of the house.

The Dutchmen's affairs falling into disorder, they made over the printing-house to James Watson, merchant in Aberdeen, who, in lieu of payment of a sum of money lent by him to Charless II. when in exile, procured for himself the gift of an exclusive privilege of printing almanacks in Scotland, and of the office of printer to his majesty's household, with a salary of L.100 a-year; and for his son, a reversionary * grant of the office of king's printer, upon the expiry of Anderson's patent. But, by the father's death, which happened soon afterwards, it was neglected to get the patent to pass the seals.

In A. D. 1695, young Watson, author of the history of printing, set up his employment in Edinburgh as a printer, as some years afterwards did a few others. He also was attacked by the patentee. This woman, although she would not bestow the smallest pains or expence on executing her art, was, at the same time, indefatigable in protecting her patent by the artillery of the law. Notwithstanding the decrees of privy council, giving liberty to printers to follow their employments, she applied to the magistrates of Edinburgh, and prevailed upon them to prohibit him from working; an interdict which, however, they soon removed. She next, upon false pretences, obtained a warrant from the privy council, shutting up his house. But upon a full information being given in for Watson (in which all the printers in Edinburgh concurred), and counsel being heard, the interdict was withdrawn, and Mrs Anderson found it vain to renew any similar attempts.

Still, however, the art of printing was carried on at Edinburgh upon a very limited scale. Till within these forty years,

* Watson's History, preface, p. 16.

the printing of newspapers, and of school-books, of the fanatic effusions of presbyterian clergymen, and the law papers of the Court of Session, joined to the patent bible-printing, gave a scanty employment to four printing-houses. Such, however, has been the increase of this trade, by the reprinting of English books not protected by the statute concerning literary property, by the additional number of authors, and many lesser causes, that there are now no fewer than twenty-seven printing-offices in Edinburgh. It must be confessed, however, that printing at Edinburgh is not, in general, so well executed as in London; and that it is far inferior to the workmanship of the Messrs Foulis's of Glasgow, which indeed would do honour to the press of any country.

A memorable attempt was lately made by the booksellers of London, to cut off that increase in the employment of printing which was derived to the city of Edinburgh from the republication of English authors. Had they succeeded in their aim, any extensiveness, or improvement in the art of printing, would, in Scotland, have been finished for ever.

The company of stationers of London had fostered an idea, which they wished to have construed into a law, 'That a 'perpetual exclusive right to the publication of books was 'vested in their authors and assignees: Or, if the author was 'not known, that the right was vested in the person who first 'published the book to the world, no matter how he came by 'the manuscript.' This right was termed *literary property.*

Their first attempt to enforce this right in Scotland was in an action before the Court of Session * A. D. 1748, the issue of which was unfavourable for the plaintiffs. About ten years afterwards, a plan was formed in England, of procuring a judgment by a collusive trial, which † might be quoted as a precedent. But the court, sensible of its importance, having referred the matter to the twelve judges of England, it was allowed to drop. The London booksellers afterwards applied for several injunctions of the Court of Chancery, against a Scotsman, who had set up the trade in London, and harrassed him twelve years with vexatious suits, for printing books not protected by the statute of Queen Anne, for the encouragement ‡ of authors. At last, being encouraged by a judgment of the Court of King's || Bench in their favour, they brought an action before the Court of Session, in order to obtain a solemn decree upon the general point of law. This suit was brought by Hinton, a bookseller of London, against Alexander Donaldson, originally of Edinburgh, now of London, for

* Booksellers of London against booksellers of Edinburgh and Glasgow. Falconer's Decisions, v. 1. No. 256.

† Tonson against Collins. ‡ An. 8. Annae, c. 19.

|| Miller against Taylor.

printing *Stackhouse's History of the Bible*, the same person who had been already harrassed by the company of stationers, and a combination of printers and booksellers, and who has had the merit of supporting himself against that numerous and wealthy body, by bringing to a decision a general point of the highest importance.

Whether the doctrine of literary property is supported by the common law of England, or whether it is consistent with the nature of property, or with expediency, or how far the state of the common law of England may be explained or affected by the statute of Queen Anne, we shall not make the subject of our disquisition. But, with respect to the law of Scotland, whether we regard the statutes, the decisions, or the commentators, the idea never once occurs; nor does any writer on the Scots law make mention concerning it, till Bankton, who wrote long after the statute. The Scottish lawyers were divided in their notions respecting printing; but the ideas of all parties were repugnant to literary property; Sir George Mackenzie, and other sticklers for the prerogative, holding that printing was *inter regalia*, and that none could print without license, to which effect, indeed, a public statute was * enacted. But the general opinion was, that printing, like other trades, might be exercised by any one, and of any book, unless where a restraint was imposed by particular patent, or monopoly. This is sufficiently evinced by the patents which appear prefixed to most of the Scots publications of the last century, (especially those upon law,) granting, at the request of the author, an exclusive privilege of printing the respective books for a certain term of years.

By the issue of the cause, Hinton against Donaldson, literary property, or an exclusive right to the publication of books, was declared not to be founded in common law, nor upon any thing but the statute of Queen Anne. This judgment was acquiesced in, in consequence of the decision of the Court of King's Bench in favour of literary property, in the case of *Millar against Taylor*, having been reversed upon appeal.

A bill was, in February 1774, brought into parliament, by the London booksellers, for a further monopoly for fourteen years, in such books as they had, at any time, purchased prior to that date. After a warm opposition, it was passed by the Commons, but was afterwards rejected by the House of Lords.

In the next session of parliament, a bill was brought in, which was thought to have been prepared with a view of establishing, indirectly, in time coming, a perpetual monopoly of books. This was entitled, an act, enabling universities to hold, in perpetuity, the copy-right, in books given or bequeathed to them; and it was supposed, that a device might be fallen up-

* Mary, Parliament, 5. c. 27.

on, by giving a book to an university, and by the university's transferring it to a bookseller, for establishing a monopoly in * all books whatever. To prevent this, a clause was inserted, providing, that, if the universities should sell or delegate the right of printing any book, and if the books should be printed any where but at the presses belonging to the universities, and for their sole advantage, then the benefit of this act, with respect to such books, should be forfeited. It is thus a matter of establishing law, that there is no other monopoly of printing but that granted by the statute of Queen Anne, that bestowed upon the universities, and that possessed by the king's printer, the privileges annexed to which office are by no means accurately defined.

The attempts of the king's printer to enforce his monopoly did not expire with Mr Anderson; of late, however, they have been chiefly directed to restrain from printing of the Bible. In A. D. 1770, Mr Kincaid, king's printer, brought an action against Colin Macfarquhar, for printing a Bible with notes, termed *Osterwald's Bible*. Macfarquhar, in his defences, besides his special defences, impugned the right of the king's printer to a monopoly of printing the Bible in Scotland; and Mr Kincaid thought it prudent to drop the suit. Since his death, however, his trustees, if they have acted with less prudence, they have at least manifested additional courage. A work, entitled *the Self-Interpreting Bible*, printed from *an original manuscript*, had been published in numbers for the space of about fourteen months, without any complaint whatever, at the instance of his majesty's printer: when, at length, Mr Kincaid's trustees applied summarily to the magistrates of Edinburgh by petition, praying, that the copies of the *Self-Interpreting Bible*, published by Gavin Alston, printer, might be sequestrated. Without hearing Alston in his defence, or even summoning him, the magistrates instantly granted warrant for sequestrating the copies; so that the first information which the astonished publisher had of what had been carrying on against him, was a visit from one of the city-clerks, heading a posse of town-officers, come to seize the books. But, upon the publisher's representing to them the extravagance of what they were about to perform, they wisely desisted from putting the warrant in execution; and the interdict of the magistrates was brought by bill of suspension before the Court of Session, before whom the cause still depends. No other apology can be offered for the magistrates, for so extravagant an exertion of power, than that merchants† are not obliged to be versant in law; that they continue too short time in office to acquire a knowledge in judicial proceed-

* *An.* 15. *Geo.* 3. *c.* 53.

† The magistrates must be chosen from among the merchants.

ings; and that they generally put too implicit confidence in such retainers to the law as are occasionally at their hand.

We shall conclude our account of printing in Edinburgh with a short detail of such attacks as have, from time to time, been made upon the LIBERTY OF THE PRESS.

As the contentions between opposite parties in Scotland have not been struggles for liberty, but contests for power, the ruling party has uniformly endeavoured to crush the freedom of the press. The first notice taken of the art of printing in* the Scots law, is a statutory prohibition from printing any books whatever without royal license, under pain of confiscation of moveables, and perpetual banishment. Soon after, the church also assumed a jurisdiction over the press in things† spiritual, prohibiting any books concerning religion from being published, till they had been revised and approven of by the superintendant of the diocese. Upon the Restoration, the prohibition was renewed against printing without license‡ from king, parliament, or privy council; and those who were guilty of seditious publications, or even who had them‖ in their possession, were punished rigorously. Gazettes, or newspapers, were, in § particular, prohibited from being published, till they had been revised by the bishop of Edinburgh. In the reign of James VII. several printers and booksellers were imprisoned for publishing books without** license, and had the copies taken from them. But the real offence was, that these books reflected on the popish religion. At the same time, a popish printer had set up a press at the Abbey, whence he published books in favour of popery without molestation, although expressly contrary to law.

Upon the Revolution, the press seems to have gained nothing in point of freedom. The privy council discharged the printing of any books or pamphlets relating to government††, till they should be revised by the Earl of Cassils, Master‡‡ of Melvill, and the Lord Advocate. Some pamphlets having been published reflecting upon government, the whole printers in Edinburgh were summoned before the privy council, and some of them committed to prison‖‖, from which, in a few days, they were rescued by the mob. But, not long afterwards, a copperplate engraving appeared, upon which the government thought proper to found a charge of high treason. A description of this print may present a lively idea of the state of liberty which this country enjoyed under *her glorious*

* Mary, parl. 5. c. 27. † Book of Universal Kirk, MS. p. 19. 90.
‡ Records of privy council, No. 1. p. 55. ‖ See book 1. c. 4.
§ Fountainhall's decisions, v. 1. p. 73. ** Ibid. p. 482, 496.
†† Records of privy council, No. 6. January 8, 1690.
‡‡ So the eldest son and heir apparent of a lord in Scotland used to be stiled.
‖‖ Edinburgh gazette, No. 135, 139. June 6, and 20, 1700.

deliverer. Caledonia was presented in the figure of a woman, with these words on a label flowing from her mouth : ' Take ' courage, and act as men that hold their liberty, as well as * ' their glory, dear.' The figure Caledonia was supported by eighty-four dissentient members of parliament, *(the minority,)* distinguished by the following motto, encircled in wreaths of laurel : ' *Patriæ Fautoribus.*' Below, an angel spoke in these words : ' *Procul, O procul esto profani,*' to a multitude of figures, which he was driving with thunderbolts to hell (which figures the Lord Advocate said represented the majority in parliament.) And, in the midst of the flames, lay a person whom the fiend that tormented him addressed thus :

> ' *Vendidit hic auro patriam dominumque potentem*
> ' *Imposuit.*'

The Lords found the libel not relevant to infer treason, or the pain of death ; *but relevant to infer an arbitrary punishment.* Although the fact was clearly proven, the jury, to their honour, acquitted the prisoners.

The next attack † upon the liberty of the press which we have been able to discover, was made by the magistrates of Edinburgh, who, indeed, have seldom been backward in exerting their ample jurisdiction in a peremptory manner.

The criminal prosecution against Archibald Stewart, Esq. Lord Provost of Edinburgh, when the city was taken possession of by the rebels, for not holding out the city against them, was generally looked upon as a rigorous measure. A poem, an indiscreet effusion of zeal, composed by some Jacobite upon the occasion of Provost Stewart's acquittal, was published by Robert Drummond, printer in Edinburgh. The subject of this piece, which was a mean performance, was the cruelties exercised after the late rebellion, from the field of Culloden, down to the trial of Provost Stewart. Some harsh and scurrilous epithets were expressed, which appear to have been intended for the Duke of Cumberland ; and gross reflections were thrown out, which seem to have been designed for certain people in Edinburgh, who were supposed to have been active in pushing the trial against Provost Stewart. But there were several blanks in the poem, as well as hieroglyphics and initials, which were left to be filled up according to the judgment of the reader. The publisher had already rendered himself obnoxious to the whigs, by the disaffection of his princi-

* Records of Justiciary, 14th, 22d April, 24th May, 1701.

† We do not reckon, in this number, the order of the Scottish Parliament 1706, towards vindicating the independency of the nation, for burning, by the hands of the hangman, a book written by one Atwood, asserting the superiority, or *dominium directum*, of the crown of England over the crown of Scotland ; Scott's Hist. p. 723.

ples, which he was at no pains to conceal; and it appearing that the chief magistrate of the city was calumniated in this publication, was perhaps an additional motive towards the marking out Drummond as an object of vengeance.

A criminal complaint, at the instance of the procurator-fiscal for the city, was presented to * the magistrates, in Nov. 1747, accusing Drummond of publishing a defamatory libel, and craving, that he might be punished conform to his demerit. The complaint was ordered to be served upon Drummond; and the accused was commanded to appear *the very next day, to answer to the charge.* He appeared, in obedience to the citation; and having acknowledged, that the poem libelled was printed in his printing-house; but, at the same time, declared, that he did not know that the blanks, &c. were meant to be filled up with those names and characters which the magistrates applied to them, he was committed to prison. Thence he was taken, on the sixteenth, and received for sentence, "that he should be remanded to prison, there to lie till the twenty-fifth, when he was to be taken to the cross between the hours of twelve and one, and there to be detained bare headed, with a label on his breast, expressing his offence, while the poem was burning; then to be kept in prison till he should find surety for obeying the sentence of the magistrates, banishing † him from the city and liberties for a twelvemonth: and further, depriving him of his freedom, as a burgess of the city, for the same period." Drummond brought this sentence under review of the Court of Justiciary, setting forth, 'that 'the proceedings against him were so summary, that he was 'left no time to prepare ‡ his defences: that, in a case of such 'importance, as to be thought deserving of pillory, banish-'ment, and loss of his freedom and business in the borough, 'a British subject was entitled to a trial by jury: that the 'magistrates had filled up the blanks upon their own conjec-'ture; but that he was altogether ignorant how they should 'be supplied: and that, even if he had been guilty in every 'respect, as the magistrates imagined, that the punishment 'was unmeasurably severe.' The Court of Justiciary refused to give him any relief.

Having suffered the public part of his sentence, and withdrawn from the city, as he was greatly depressed with age and infirmities, he ventured to return to his own house. There he lived in the most private manner, and in great poverty, owing to his business being stopped by the sentence, when a

* Original process in archives of the city of Edinburgh.

† An inferior judge in Scotland makes nothing of sentencing a man to whipping, pillory, banishment from the limits of his jurisdiction, and such other *trifling* punishments, without the *idle* formality of a jury.

‡ Records of Justiciary, 27th November, 1747.

new publication appeared, that aroused the indignation of the magistrates. This was stiled, 'The King of Prussia's Letter 'to his Royal Highness Prince Charles.' In this pretended letter, the King of Prussia congratulated the young Chevalier upon his arrival on the Continent; complimented him hyperbolically upon his gallantry; and lamented, that his connection with the present reigning family prevented him from lending that assistance to the Chevalier, which his merit deserved. Instantly the magistrates set themselves about discovering the publisher. They issued a warrant, signed by the Lord Provost and three of the bailies, and addressed to constables and town officers, setting forth, 'That whereas there being reason 'to believe, that this publication has been printed or sold with-'in this city or liberties, therefore granting warrant * to the 'constables, &c. to pass to the several printing-houses in this 'city or liberties, or other houses therein, where it may be 'suspected the paper above mentioned was printed, sold, or 'published,' and to seize the copies, with the types and other materials, and to apprehend such persons as they should discover to have printed or published the same, and bring them before the magistrates.

A search was made agreeably to this extensive warrant, and the masters of several coffee-houses brought before them. Drummond being again the object of suspicion, was dragged from his lurking place, where he lay dangerously ill, to prison: but, after being confined about a fortnight, he was liberated, upon a certificate from a physician being produced, that, if he was kept any longer in jail, his life would be in extreme danger. He was, however, obliged to find surety a second time, to banish himself from the city. No further proceedings appear to have been carried on, in consequence of this pretended letter.

This, however, was not the last time Drummond experienced the hand of power. In order to harrass him, the magistrates of Edinburgh became theologues and champions for the church. An exposition of the ten commands, in the form of question and answer, some parts of which favoured of popish tenets, was printed at Edinburgh. Instantly the magistrates, watchful that false doctrines be not propagated, send abroad their *general warrants*. Drummond is again apprehended, and Drummond is again the offender. After having been some days confined in prison, he was liberated, upon finding bail to stand a trial; which, however, was never pursued.

The next occasion upon which the printers of Edinburgh were called before the civil magistrate, was the most trivial

* Original warrants in archives of the city of Edinburgh.

which we can conceive capable of exciting the attention of a court of justice. It was such, indeed, as appears to us incapable of giving offence, but under the most despotic of governments; and although the respectable character of the persons concerned in an attack, which to us appears so unwarrantable, forbids our supposing that they considered it as such; yet we cannot help looking upon their conduct, on this occasion, as tending *to the complete suppression of the liberty of the press, and of freedom of communication of ideas between man and man.*

Those who are well acquainted with the late transactions in Edinburgh, can be at no loss to discover that we allude to the proceedings of the Court of Justiciary, against the printers who published the opinion of Mr Macarty, an English counsellor, upon the competency of appeal from the Court of Justiciary to the * House of Lords, and upon informalities in the trial in the case of Patrick Ogilvie and Catharine Nairn.

To treat publicly of matters *in dependence* before a court of justice, requires to be done with delicacy; because, although it seems allowable, and even proper for any one, to suggest arguments tending to illustrate an important case, yet nothing can be more improper, than to attempt to create a biass in judges by a prejudication of their opinions, or even of those of the public. But when the sentence is once pronounced, a greater latitude is to be admitted. It is a decision upon public law, respecting the important rights of a citizen. It may become a precedent. It is only from an examination of the particulars that an opinion of the solidity of the principles upon which judges have decided, and of the purity of their intentions, can be formed; therefore, when sentence is pronounced, it is the right of every subject, in a free state, to canvass it with decency. Whoever opposes this right, is, in so far, *an enemy to freedom and the liberties of his country.* The Court of Justiciary, notwithstanding the respectable light in which they are esteemed, will not pretend to a state of purity and infallibility above all other courts. Nay, they will not plead, but that, since their erection into their present form, prosecutions the most tyrannical, and even corrupt, have been carried on before them. Let us add, that supposing a ministry were to arise as wicked as that of Charles II. the animadversions of the public would be the most ready check upon this tribunal from returning to tyranny and corruption. In the present case, the Court of Justiciary were *functi officiis.* They had determined upon the relevancy of the libel; the jury had returned a verdict; the Court had sustained its formality. Sentence was pronounced against one

* See the General Question discussed, book 4. c. 1.

of the criminals, and was suspended, with respect to the other, only on account of her being with child. The opinion itself, given by the English counsellor, was consistent with the strictest decency, and had at least a plausible foundation in law and good sense. It consisted of three positions, 'That an 'appeal lay from the Court of Justiciary to the House of Lords: 'That, by the law of England, a charge, that the prisoner 'was guilty of one or other of two crimes, would have vitiated 'the indictment; and that, from the mode of conducting the 'trial, the prisoners were laid under peculiar disadvantages, 'which, in the counsellor's judgment, gave an undue influence to the evidence adduced against them.'

Mr Macarty's opinion, with some most inoffensive notes prefixed to it, at which, however, the Court took umbrage, having been published in the Scots Magazine, and three Edinburgh newspapers, the Court of Justiciary, upon a representation by the Lord Advocate, ordered the publishers of these respective papers to appear at the bar. The printers attended in obedience to the * citation, *and all of them acknowledged themselves in the wrong, professed their sorrow for what they had done, and submitted themselves to the Court.* Nothing could be more dastardly than this submission of the printers. It was impossible for men, in their circumstances, to deserve worse of their country. It is by such abject timidity alone that usurpation and tyranny are suffered, by gradual steps, to grow into established law. The lords found, 'That the publication 'of the said opinions, especially with the notes prefixed to it, 'was a high indignity to the Court, and a *precedent dangerous* 'to the constitution of the country;' but, in respect of their acknowledgement and submission to the Court, the lords, instead of fining, imprisoning, or otherwise punishing them, only dismissed them with a rebuke.

Notwithstanding so wanton an attack upon the liberty of the press, a publication, which we think truly reprehensible, soon afterwards made its appearance, and attracted the censure of the Court of Session. This was extracts copied into the Edinburgh newspapers, from a pamphlet, entitled, '*Do-*'*rando, a Spanish tale*,' which had an evident allusion to the *Douglas cause*, then depending before the Court of Session. Such, indeed, was the spirit of party that displayed itself in Scotland, with relation to this memorable cause, that one would have thought the Scots had transferred their attachment to hereditary right from the house of *Stuart* to that of *Douglas*. Incendiary letters were sent to the judges, mobs were raised, illuminations were compelled, and the walls bedaubed with

* Records of Justiciary, 18th and 25th Nov. 1765. Scots Magazine, v. 27. p. 449. 561.

wretched libels, tending to cramp the judges in that freedom of deciding, absolutely necessary to justice.

The pamphlet *Dorando*, appears to have been the production of a keen partizan of the defendant Mr Douglas, if not a hireling of his party. The design of this publication was plainly to create a prejudication in the judges, and to anticipate the judgment which its author wished to be pronounced by the Court of Session and the House of Lords. Under the colour of a *Spanish Tale*, it was a history, and a very partial one, of the Douglas cause. The characters and events were so minutely described, that there needed nothing but a change of the names of the places and persons to bring it home. It did not consist of a dispassionate inquiry into the proofs and arguments adduced by the parties; but of a violent declamation in favour of the hero of the tale: And it brought the cause to a decision, relating the judgment of the court which first had the cause under consideration, and also of the court of review; nay, putting speeches into the mouths of individual judges, who cannot be mistaken for any but the Lord President of the Court of Session, the Lord Chancellor of England, and the Earl of Chatham.

From this pamphlet extracts were made in the Edinburgh newspapers of some of the most exceptionable passages, while the cause was yet in dependence; and, at the same time, some other paragraphs appeared, calculated with the like tendency. The Lord President complained of them to the Court, and the printers were ordered to appear at the bar *immediately*. They came accordingly, found bail for their appearing at all other times, when that matter should be under consideration of the Court, and were allowed to give in memorials, or to be heard at the bar in their defence. In their defences, the printers pled the general principles of the liberty of the press, of their constantly having had occasion to see the expediency of matters depending in parliament, the measures of government, and the proceedings of courts of law, made the subject of criticism in these periodical publications, without having been subject to challenge. They further pled, *that a whole impression of the pamphlet, from which the extracts were taken, had been sold off in Edinburgh, without the publishers having incurred any censure.* After an admonition and rebuke, the lords dismissed them from the bar.

Still, however, the proceedings of the Court wear an appearance of absurdity. The chief culprit, the original publisher *, was allowed to escape; those who only copied from him, were subjected to censure.

* * * * * *

* Although the pamphlet bore to be published in London, it was also published in Edinburgh.

Within these few years, a great change has taken place in the *liberty of the press*. The conduct of persons in public office has been animadverted upon with freedom, and in several instances censured with acrimony. The bench has not escaped those criticisms, for which, so long as they are just, it will always be the better; and, from recent observation, we may venture to affirm, that, till this country shall suffer some melancholy revolution, no judge will be hardy enough to challenge publications, which, twenty years ago, no man would have ventured to print. This important change can only be ascribed to an increasing liberality of sentiment in the country, joined to certain persons having started up, who, convinced of the importance of the liberty of the press to the freedom of the constitution, were resolved to exercise it; and who were possessed of a determined principle, which, when accompanied with a consciousness of right, would have supported them against the frowns of a court.

Of the Medical and Philosophical Commentaries.

The first periodical publication in Edinburgh, in point of estimation and importance, is the medical and philosophical commentaries. This work was begun A. D. 1773. It consists annually of four numbers, one of which is published quarterly. The end which the compilers have in view, is to comprise, within a narrow compass, a distinct account of the latest and most important discoveries in medicine, and those branches of philosophy most intimately connected with it. These are chiefly taken from the transactions of public societies, and the writings of private persons. But, besides these, the authors are enabled to present their readers with many curious articles that have never before been published, in consequence of an extensive correspondence.

Each number of this work is divided into four sections. The first is appropriated to an analysis of new books, or of particular papers in public transactions. Here they pretend not to give judgment respecting the merit of any production; but simply present their readers with an impartial detail of those facts and doctrines it contains, which they esteem most singular or most important. The second section consists of original observations and cases communicated to the authors for the purpose of publication. In the third section, they present their readers with accounts of medical or philosophical discoveries, which, although never before published, have been the subject of conversation at different places, and concerning which they are informed in the course of their epistolary correspondence. In the fourth and last section, they give a list of

the medical publications which have appeared in different parts of Europe, during the three preceding months.

The success which has attended this publication is a proof of the general idea of its merit and utility. The sale of it has been extensive; and the most eminent philosophers and physicians in Britain have contributed to the support of it, by transmitting original observations, or medical news to the authors. Besides having undergone a second edition, it has appeared in different languages in most countries of Europe. A German translation of it, which has been regularly continued, was begun at Altenburgh by a physician of eminence, not many months after the publication of the first number in Britain.

Of the Scots Magazine.

That species of periodical publication called *a Magazine*, was first introduced in the present century. It does not appear to have been attended with success till about the year 1730. At that time the *Gentleman's and London Magazines* became rival publications, and had both of them a pretty extensive circulation over the island.

As it was observed that these miscellanies which were published at London, were somewhat stale ere their arival in Scotland; and, as it was thought, that a magazine, more particularly calculated for Scotland, for a consideration of its trade, and for the admitting of compositions by Scotsmen, might be generally acceptable, the *Scots Magazine* was begun at Edinburgh, by Sands, Brymer, Murray, and Cochrane, A. D. 1739, and is still carried on by Murray and Cochrane. This miscellany has now subsisted these forty years; and although, in that period, it must, no doubt, have undergone changes, in point of merit, character, and circulation, yet it has always been esteemed an accurate, judicious, and impartial publication.

Of the Weekly Magazine.

This periodical performance was begun by Walter Ruddiman, junior, printer, A. D. 1768. In this, it was attempted to be copious in essays as a magazine, and early in intelligence as a newspaper. This miscellany consists chiefly of original essays on agriculture, manufactures, and other topics, and of extracts from new publications; besides select pieces from other magazines and reviews, and the articles of intelligence. As all this was afforded very cheap, the publication was very successful. Indeed, it became so, in a degree un-

precedented in Scotland; for, in winter 1776, the number of copies sold amounted to three thousand weekly.

This prosperity excited a jealousy in the authors of some other periodical works. A memorial was presented to Lord North, setting forth, that, although this was nominally a magazine, it was truly a newspaper; and, that its not being subjected to stamp duty, was a hurt to the revenue, as well as a prejudice to those periodical publications which were subjected to the tax. Upon this an order was directed to the proper officers, to levy and sue for all duties on papers containing news or occurrences; and in a suit, which was brought before the Exchequer in June 1777, the Weekly Magazine was found liable to the duty. That Mr Ruddiman might not incur the stamp duty for two sheets, he, after this trial, detached the miscellaneous part from the historical. Of the former, which still bears its old title, he now publishes about fourteen hundred weekly; of the latter, which is '*Ruddiman's Weekly Mercury*,' he publishes from eighteen hundred to two thousand.

Of the Edinburgh Courant.

The first newspaper that we believe was ever printed in Scotland, was on Tuesday the 5th of August 1651. It was entitled '*Mercurius Scoticus*, or a true character of affairs in 'England, Ireland, Scotland *, and other foreign parts, col-'lected for publique satisfaction.' This paper, which consisted of eight pages small quarto, was published weekly. The place where it was printed, and the name of the printer, are not mentioned; but it was probably printed at Leith. This was but a short-lived publication; for, in November 1652, we find, that it was thought sufficient to reprint at Leith a newspaper first published at London. This was entitled, 'A 'Diurnal of some passages and affairs.' This paper also was of short duration. In about a year it made way for another, entitled, 'Mercurius Politicus; comprising the sum of intel-'ligence, with the affairs and designs now on foot in the three 'nations of England, Ireland, and Scotland, in defence of the 'common-wealth, and for information of the people. *Ita ver-'tere seria*, Hor. de art poet. Printed at London, and re-'printed at Leith.' This paper generally consisted of from eight to sixteen pages. In A. D. 1655, it was reprinted at Edinburgh, which appears to have been the first time that a newspaper was put to the press in that city. In February 1660, the following change was made on the title of this paper. These words, 'in defence of the common-wealth,' were left

* Collection of newspapers in possession of Mr Harry Guthrie, writer in Edinburgh.

out, and the following were added, 'Published by order of 'parliament.' At the end of the paper are these words, 'EDINBURGH, reprinted by Christopher Higgins, in Hart's 'Close, over against the Tron Church, 1660.'

On the 8th of January 1661, a new periodical work was published at Edinburgh, weekly, by Thomas Sydserf, son of the bishop of Orkney, bearing this title; 'MERCURIUS CALE-'DONIUS, comprising the affairs now in agitation * in Scot-'land; with a survey of forraign intelligence.' At the foot of the 8th page are these words: '*Edinburgh*, printed by a society 'of *Stationers* in the year 1661.' This paper, which was a fulsome rhapsody in praise of the king and royal family, expired in three months. It was succeeded by 'The Kingdoms 'Intelligencer, of the affairs now in agitation in *Scotland*, '*England, and Ireland*; together with forraign intelligence. '*To* † *prevent false news. Published by authority.*' From the copies we have seen of this paper, it subsisted at least seven years.

It is as impossible, as it would be insignificant, to enumerate the different newspapers which may have, from time to time, started up, and died away. In A. D. 1699, an Edinburgh Gazette was published by authority, by James Watson. In the year 1709, the town-council, in virtue of the plenipotent jurisdiction they assumed, granted Mr David ‡ Fearn, advocate, license to print a paper, to be called, '*the Scots Post-'man*,' every Tuesday, Thursday, and Saturday; with *a prohibition against all others from printing newspapers on these days.*

At what time the Edinburgh Courant was begun to be published, we know not. But it appears to have been of an earlier date than the Scots Postman; for, in A. D. 1710, the celebrated || Dr Daniel de Foe, author of the History of the Union, got liberty from the town-council to publish the Edinburgh Courant, in room of the deceased Adam Bog. This paper is published by the executors of Robert Fleming every Monday, Wednesday, and Saturday, in four pages large folio.

Of the Caledonian Mercury.

THE time that this paper was begun is uncertain. It is printed on the same days, and in the same size, with the former. For many years it was published by that celebrated scholar and antiquary Thomas Ruddiman, A. M. The right

* Mercurius Caledonius in Advocates' Library; also in the possession of Mr Robertson, present publisher of the Caledonian Mercury.

† Mr Guthrie's collection of papers.

‡ Council Register, v. 39. 17th August, 1709.

|| Ibid. v. 39. 1st February, 1710.

to this paper was purchased from the heirs of Messrs Ruddimans, A. D. 1772, by Mr John Robertson, the present publisher.

The interesting state of public affairs induced Mr Robertson, about two years ago, to publish the Caledonian Mercury on each day that a London post arrives, *i. e.* five times a week. The communication by post between most parts of Scotland being open only three days in the week, joined to an additional duty having been laid upon newspapers, after Mr Robertson's proposals for publishing five times in the week were circulated, made this plan be attended with less success than was due to the public spirit displayed in the attempt. The plan was dropped The paper is now published on the former days, and is in a very flourishing condition.

When the young Chevalier lay at Edinburgh with his army, the Caledonian Mercury was made the vehicle of communicating the intelligence of his party. In the *Mercuries* of September and October for that year, are to be seen the Pretender's manifestos and proclamations, and other articles, which afford not incurious matter of reflection to those who consider the vicissitude of human affairs.

Of the Edinburgh Advertiser.

Upon the posts between London and Edinburgh being increased from three to five in the week, Mr Alexander Donaldson, bookseller, now of St Paul's Church-yard, began to publish a newspaper, entitled, the Edinburgh Advertiser, on the new post days, Tuesday and Friday. This paper, which consists of eight pages quarto, is published twice a week. It is now carried on by his son, and has an extensive circulation *.

* It is a strange circumstance, that, when we were at London, A. D. 1777, Bath, Bristol, Liverpool, York, and other newspapers, were to be found in many Coffee-houses: but none from Edinburgh, but in the *Edinburgh Coffee-house*.

BOOK FOURTH.

CHAPTER I.

OF Legislative and Judicative Assemblies, and of the Jurisdiction of the Magistrates of Edinburgh—Of the Parliament of Scotland—Convention of Royal Boroughs—Courts of Session—Justiciary—Exchequer—High Court of Admiralty—Commissary Court—Lyon, Sheriff, and Justice of Peace Courts—Criminal Court of Edinburgh—Bailie Court—Ten mark Court—Dean of Guild Court.

THE supreme and absolute power presently vested in parliament was by no means of old possessed by the parliament of Scotland; and that not so much from the want of right, as of force. The country was uncivilized; freedom was not established; the chieftains possessed a power and jurisdiction incompatible with a regular government. Standing armies, nay, even regular forces, were unknown; taxes were little felt; the king enjoyed a large patrimonial estate; and the necessity of holding parliaments was not so urgent, nor the influence of its decrees so important, as in modern times. Their meetings were short, but not unfrequent. Their deliberations chiefly respected the regulating of inland commodities, and internal police: And, from the barbarous manners of the country, such resistance was made to the executive arm of the state, that frequently there was no enforcing the decrees of parliament, or sentences of the courts * of justice,

* Of this, the acts of parliament regulating the manner of attending courts of justice; the act concerning the clan *Gregour;* an order of Queen Mary for the inhabitants of no fewer than *eleven counties* to attend in arms one of the judges going upon a circuit; and the letters of fire and sword which were frequently issued, afford sufficient evidence. James II. parl. 14. c. 82. Mary, parl. 6. c. 41. James VI. parl. 8. c. 140. Charles I. parl. 1. c. 30. Keith's History of Scotland, p. 198. Letters of fire and sword

without letting loose all the terrors of proscription and of the sword.

Besides its legislative authority, the parliament, from the earliest times, acted in a judicative capacity, both in civil and criminal cases, and that in the first instance, as well as upon appeal.

There is no vestige of any parliament having been held in Scotland before the reign of William the Lyon. That prince mounted the throne A. D. 1165. Some of his statutes are preserved, which bear to have been enacted at Perth, 'Coram 'Episcopis, Abbatibus, * Baronibus, et aliis probis hominibus 'terræ suæ.' It is fully instructed, that, by the *aliis probis hominibus*, were meant freeholders, holding immediately of the crown; for one of the statutes of that same prince is mentioned, as being enacted by the king, 'de communi concilio et 'deliberatione Prælatorum, Comitum, et Baronum, ac Libere-'tenentium.' And, in the statute of Alexander II. it is declared, that no one shall undergo a trial that may affect him in his life, or any of his members; 'Nisi per fideles homines, 'et per probos libere-tenentes per chartas.'

Anciently, a representation of the counties in parliament could not take place; for the freeholders, holding of the crown, attended personally. This attendance was found troublesome. Those entitled to be present frequently appeared by deputy, an abuse afterwards corrected † by statute; or absented themselves altogether, for which they suffered a pe-

were commissions addressed 'TO ALL AND SUNDRIE,' issued by the privy council, in name of the king, giving power to certain commissioners to convocate the people in arms, and to pursue and apprehend the persons against whom the letters were directed; and, in case of resistance, to kill, burn, and destroy, &c. An ingenious writer appears to have considered them as being partly an engine of arbitrary power; and observes, that they went into disuse upon '*the mild and equitable government that commenced at the Revolution.*' Quite the reverse; they were proofs of the imbecility of government, and of the turbulence of the people. Let it be asked of this good lord, where did *this mildness and equity commence?* Was it in the valley of Glencoe? Does he collect those amiable virtues from the mandate of King William to his officers to murder all under seventy, or in the barbarous punctuality of the soldiers, who performed their commission in the dead hour of the night, against those with whom they lived in apparent friendship; the guests against their respective landlords? A massacre so unprovoked, so barbarous, and so impolitic, as hardly to be paralleled. Kaimes's Elucidations, p. 411. Memoirs of the Massacre of Glencoe, p. 55, 74.

* Statuta Wilhelmi, c. 1. 32. Statuta Alexandri II. c. 3.

† James I. Parliament. 3. c. 52.

cuniary penalty. But, in the reign of James I. the small barons and freeholders were allowed to appear by their representatives *; and the counties were appointed to defray the expences of their representatives, a law observed in Scotland till the Union. Still, however, the lesser barons neglected to send commissioners, the condition upon which they were exempted from attending on parliament; and were also remiss in † paying their attendance; so that, at last, it came to be doubted, how far they were entitled to a seat: And it was not till the reign of James VI. that the appearance of the lesser barons, by their representatives, came to be fully established.

The time when the boroughs first appeared in parliament by their representatives, can be pretty nearly ascertained. It was between the years 1319 and 1326. In the ‡ last of these years, the boroughs are mentioned, as being present in parliament, consenting to an aid granted to King Robert Bruce, and as forming the third estate of parliament. The three estates were anciently considered as being composed, the first, of dignified churchmen; the second, of the earls and barons; the third, of the commissioners from boroughs. But in the reign of James VI. attempts were made to abolish episcopacy; and the privileges enjoyed by the order of bishops were successively infringed and restored. In the year 1640, the episcopal form of church-government was || abolished, and the dignitaries of the church were excluded from parliament. Upon the Restoration, both were restored. At the Revolution, both were finally abrogated; and, from that time, the three estates of parliament were, the nobility, the barons, or knights of the shire, and the commissioners from the boroughs.

The most remarkable difference between the English and Scottish parliaments was, that, in the latter, the three estates did not form separate houses. They constituted one assembly, joined in one debate; and the result of their deliberations was determined by the plurality of voices collected from the whole individuals Thus, each estate's possessing a negative, and thereby being a check against encroachments by the others, one of the great safeguards of the English constitution was wanting.

* James I. Parliament 7. c. 102.

† James II. Parliament 14. c. 75. James IV. Parliament, 6. c. 78. Appendix to Robertson's History of Scotland, No. 4.

‡ In the enumeration of the constituent parts of the first parliament held by Robert Bruce, no mention is made of the boroughs; but they are taken notice of in an indenture between that king and his people, as being present in parliament, A. D. 1326. *Statuta prima Roberti Primi.* MS in Advocates' Library, published in Kaimes's Law Tracts, Append, No. 4. *Statuta Davidis II. c.* 41.

|| Rescinded Acts, A. D. 1640. c. 2.

The parliaments of these respective nations differed in another point, of such importance, as in Scotland, left the king an almost absolute controul over the matters to be agitated in that assembly. There was a committee peculiar to the Scots parliament, entitled *the Lords of Articles*. They are a remarkable instance of an institution, harmless, and even salutary in its origin, upon being suffered to remain unaltered, with a change of manners and of circumstances, becoming most pernicious. In the early ages of the Scottish parliament, the nobles and barons were equally rude in manners, and destitute of learning. Accustomed to those contests which were to be decided by vigour and agility of body, they were strangers to any deep or painful exercise of the faculties of the mind, still more to those arts which make a figure in debate. Conscious of their general incapacity for conducting business, a committee of persons, the most intelligent and expert, would be appointed to deliberate on matters that were to be brought into parliament, and to prevent an unnecessary multiplication of business, by rejecting such as were obviously inexpedient. Thus, to the assembly at large, no further trouble would be given, than to judge of matters, whose tendency was ready to be explained to them by the committee, and to give their approbation or dissent. In this manner, *the Lords of Articles* came to be instituted.

As matters brought into parliament were wont to be introduced by the Lords of Articles, in time it came to be contended, that nothing could be agitated in that assembly, unless ushered in by this committee, who were thus vested with a negative, which could quash the very introduction of any matter into parliament; a negative which was even * ratified by statute.

The committee of articles was probably a very early institution in the Scottish parliament. It is at least, we are certain, coeval with the first national assembly held by James I. before which †, parliaments were ‡ not regularly, nor fre-

* James VI. parl. 14. c. 218.

† See title to the statutes of James I. printed in black letter. Ditto to 14th parl. of James III. Rolls of parl. 1633, 1685. Charles II. parl. 1. sess. 3. c. 1.

‡ It is deserving of notice, that the first parliament which appears to have been held in Scotland, was in the reign of William the Lyon, who had been a long time prisoner in England; and the first time that the lesser barons appeared by their representatives in parliament, was in the reign of James I. who was also a long time prisoner in that country; nay, this prince appears to have intended, that the Lords and Commons should meet in separate houses, as in England; for, in the same statute by which commissioners from the shires are introduced, they are appointed

quently assembled. As it behoved the Lords of Articles to have such influence upon the resolutions of parliament, the mode of electing them was of great importance. They were generally, if not uniformly, chosen by the estates of parliament themselves; and it was chiefly from the influence which the crown had with the bishops, and from the officers of state being joined to this committee, that the king possessed such an authority over it. The Lords of Articles consisted of an equal number from each estate; the manner of choosing them was frequently varied. From the reign of Charles I. downwards, the parliament, after having been legally assembled and constituted, adjourned for a short space. The Lords Spiritual met in an apartment by themselves, and chose eight peers. The Lords Temporal chose eight bishops. These sixteen chose eight knights of the shire, and eight burgesses; and to the whole were added eight officers of state. The parliament * 1640, which met during the rebellion, curtailed the powers of the Lords of Articles, and they were entirely abrogated at the revolution.

Besides the Chancellor, who was president, the Lord High Constable, the Earl Marischall, the Lord Provost of Edinburgh, the sheriff of that county, and the public executioner, were constitutional officers of parliament. The clerks of session and justiciary also attended. At the beginning of each session of parliament, the king, or his commissioner, and the three estates, rode in solemn procession in their parliamentary robes, from the palace of Holyrood-house, to the parliament house; and, after that meeting was over, they returned in like manner to the palace, where a royal entertainment was provided †.

Of the Convention of Royal Boroughs.

In the dark ages, the towns in all European nations were held under a state of servitude by the kings or nobles; but, in the ‡ eleventh century, several causes contributed to procure many valuable privileges and immunities to the towns of Italy, and the example operated with rapidity over all Europe. The inhabitants of towns were enfranchised; they were erected into bodies politic, with a right of being governed by a magistracy and council of their own choosing, and with many

to choose a *speaker*, who was to manage the business of the Commons. Now the chancellor was already the president and speaker of parliament; but hardly any part of this act took effect. James I. parl. 7. c. 102.

* Rescinded Acts, 1640, c. 3. William and Mary, parl. 1. c. 3.
† See Appendix, No. 6. ‡ Robertson's History of Charles V. v. I. p. 32.

other privileges. The erection of royal boroughs in Scotland is, at least, as early as David I. for, in a charter granted by that prince to the canons regular of Holyrood-house, Edinburgh is spoken of as a borough holding of the king, paying him certain annual revenues, and having the privilege of free markets.

The judgments of the magistrates of boroughs were liable to the review of the Chamberlain of Scotland, and his court of the four boroughs. This was an officer of great dignity and extensive jurisdiction. He kept the accompts of the royal revenues and expences, and he held circuits, or *chamberlain-ayres* (as they were called), in the different boroughs, for the purpose of * reviewing the decrees of the magistrates, of hearing complaints against them for mismanagement of the public revenue, and for regulating the police: But the decrees of the chamberlain were themselves liable to be reviewed by the *court of the four boroughs*. This court, in which the chamberlain presided, was composed of certain burgesses of the towns of Edinburgh, Stirling, Berwick †, and Roxburgh, who were appointed to meet annually at Haddington, to decide ‡, as a court of the last resort, upon appeals taken from the Chamberlain-ayres, and to deliberate and determine upon all matters respecting the common welfare of any of the royal boroughs. Upon the office of chamberlain being suppressed, the power of controlling the magistrates accompts was vested in the Court of Exchequer; that of reviewing their sentences was left to the ordinary courts of law; and the power which the chamberlain, in his court of the four boroughs, had, of regulating matters respecting the common welfare of that state, was transferred to the *convention of royal boroughs*.

This court was constituted in the reign of James III. and appointed to be || held yearly at Innerkeithing. It does not appear, however, from the records of the convention §, that it met earlier than the year 1552. By a statute of James VI. this convention was appointed to meet four times in the year **, in any borough they thought proper; and, to avoid confusion, it was ordained, that only one commissioner should appear for every borough, except Edinburgh, which should have two. By a subsequent statute, a majority of the boroughs ††, or the city of Edinburgh, with any other six, were impowered to call a convention as oft as they thought proper, and all the other boroughs were obliged to attend it under a penalty.

* *Iter Camerarii.*

† When Berwick and Roxburgh were taken by the English, the boroughs of Linlithgow and Lanark were substituted in their place.

‡ *Curia quatuor burgorum.* || James III. parl. 14. c. 111.

§ Black on the royal boroughs, p. 42. ** James VI. parl. 5. c. 64.

†† James VI. parl. 14. c. 119.

From the institution of the four boroughs, the powers of the convention may, in part, be collected. They chiefly respect the establishment of regulations concerning trade and manufactures; and, to this effect, the convention has * established, and, from time to time, renewed articles of the staple contract with the town of Campvere. As the royal boroughs pay a sixth part of the sum imposed as land-tax upon the counties of Scotland, the convention is empowered to consider the state of trade and revenues in the individual boroughs, and to assess their respective proportions of the land-tax, conform to their abilities. This court has also been in use to examine the conduct of magistrates in the administration of borough revenues, although this properly falls under the jurisdiction of the Court of Exchequer, and to give its sanction, upon proper occasions, to the town council of any borough, to alienate a part of its real estate. The convention has likewise been in use to consider the political *set*, or constitution of the different boroughs, and to regulate matters respecting elections, when brought before them. But in this matter they had passed acts extending their jurisdiction in a manner unwarranted by law; the powers of the convention were become very uncertain; and it came at length to be contended, that they could alter the political constitution of any borough whatever.

The appetite for power natural to public bodies, as well as to individuals, joined to an idea of expediency, produced an act of convention †, by which it was statuted, that to remedy the obscurity and confusion which arose from the great discrepancy in the political constitutions of the different boroughs, the whole of them should be reduced to the standard of that of Edinburgh; but to an order so palpably exceeding their powers, no regard was paid. The convention next embraced the idea of forming itself into a perpetual umpire between ‡ boroughs, enacting, that all differences between borough and borough, should be determined by the convention, to whose decrees they were required to submit, without freedom of appeal. By a subsequent act, they extended this regulation to all disputes between burgesses among themselves, respecting the election of magistrates or counsellors ‖, their management of the revenues, and other public concerns. This last regulation, however, only required the burgesses to have recourse to the convention, in the first instance, but did not tie them up from appeal.

The boroughs acquiesced in this order of their head court, and recourse was frequently had to the convention, to alter

* Maitland's History, p. 383. et seq.
† Records of convention, 4th April, 1552. ‡ Ibid. 25th Oct. 1574.
‖ Ibid. A. D. 1706.

or new model the political constitution of boroughs; but this was always done upon submission by the parties, or surrender of all their rights into the hands of the convention, for a new *set* to be returned to them; and there were instances of that court having declined its own jurisdiction, when the consent of parties to the exercise of their authority was wanting. A very late attempt, however, has been made, which, had it succeeded, the convention would have been vested with powers of altering the political constitution of any borough whatever. In a borough, whose *set* was established by decreet-arbitral, confirmed by immemorial custom, and ratified by an act of the king in privy council, a part of the community, in opposition to the rest, voted a resolution to apply for the authority of the convention to alter the * *set* of the borough. This resolution was stopped by their political opponents, who presented a bill of suspension to the supreme court, alleging, among others, that the convention had no powers to alter the set of their town; and the court, after full disquisition, found unanimously, that no † such powers were lodged in the convention. This judgment of the Court of Session appears to be founded on the most obvious principles of law and purposes of expediency. When the constitution of a body-corporate has been once fixed, the rights arising ‡ therefrom, are as inviolable as those of private property; and, therefore, cannot be affected but by authority of parliament. The peace and security of the constitution at large depends upon the stability and harmony of the parts of which it is composed. If these parts are to be regulated by the will of that branch of the community to which they respectively belong, and not by the dictates of their charters, we have no such thing as law or a constitution; we are no longer governed by law, but by the changeable caprice of men. Nothing but the immutability of the constitution can establish the harmony and security of a state. To this any trifling advantages to be reaped from a change ought to be sacrificed.

The convention of the royal boroughs is in use to meet annually at Edinburgh. It is somewhat singular, that the Lord Provost of Edinburgh, although not a member, is their perpetual preses; the city clerks of Edinburgh are clerks to the convention. This court sits commonly four days. Dur-

* The form which directs the mode of choosing the magistrates and councillors administrators of a borough, is called, '*the set* of the borough.'

† Merchants of Edinburgh against trades, Dalrymple against Stodart, Aug. 7, 1778.

‡ The reader who wishes to consult other authorities respecting this matter, is referred to the decisions, trades against guildry of Inverness, 10th Feb. 1724, hammermen, &c. against weavers, &c. of Glasgow, 17th Feb. 1775, and to the records of convention for A. D. 1590, 1724, 1741, 1748, 1769.

ing the time that it sits, the magistrates of Edinburgh keep open table for the members of the convention.

Of the General Assembly.

The mode of arrangement, which, to us, appeared most natural, led us to give an account of the General Assembly, in book second, chapter first.

Of the Court of Session.

During the prevalence of the feudal system, an ample territorial jurisdiction was vested in the barons, or great proprietors of land, a jurisdiction which was not annexed to the person, but to the lands. We have seen already, that in towns, the magistrates possessed that authority which the barons did in their domains: That, from the magistrates, an appeal lay to the chamberlain-ayre, and from the chamberlain-ayre to the court of the four boroughs. In like manner, an appeal lay from the baron * court to the sheriff, from the sheriff † to the king's justiciary, and from the king's justiciary to the parliament. Along with the judges ordinary, the king in council had a cumulative jurisdiction. The frequency of causes brought before them was found troublesome, and a new court was erected for discussing those causes which formerly used to be determined by the king ‡ and council. This court consisted of many members of parliament, who served by rotation, and were named by the king. They assembled thrice in the year for the space of forty days each, and so numerous were the judges who served in rotation, that the vice was seldom completed in less than seven years. A court, whose members were so fluctuating, was not found of public advantage. In its room was substituted the *Daily Council*, so named from its sitting daily through the year.

* The reason why an appeal lay to parliament, as a court of the last resort, from causes originating in the baron courts, and not in borough-courts, appears evidently to be the following: The bishops, barons, and freeholders, composed the high court of parliament. Originally the boroughs had no place in that assembly. The *Curia quatuor Burgorum*, was an earlier institution than the representation of boroughs in parliament. Now, trial by peers was a fundamental principle in the law of Scotland as well as of England; therefore, it was natural to appeal to parliament causes concerning the barons, but not the boroughs; for they had no peers there. In the *Curia quatuor Burgorum* were their peers, and, therefore, it was their court of last resort.

† Form and manner of baron courts, c. 15. 16. ‡ James I. parl. 3. c. 65.; James II. parl. 14. c. 63.; James IV. parl. 6. c. 55.

This court, which was instituted by James IV. was also defective in its constitution, in so far as no quorum was named, nor was there any compulsion upon the judges to attend; and in its room the Court of Session was established, A. D. 1532 *, in form pretty near to that which it still retains. This Court was appointed to consist of fifteen ordinary judges, seven churchmen, seven laymen, a president, whom it behoved to be a churchman. Besides these, the Lord Chancellor had a right to preside and vote in that Court, when he thought proper; and the king might also appoint three or four peers of the realm, *extraordinary lords*, (as they were called), with a power to take their seats on the bench, and vote when they thought proper; a privilege which the king never failed to exercise. This part of its constitution was a great nuisance. Men, ignorant of the laws in general, and unacquainted with the particular cases in which they interfered, who had no salary for their trouble, and who, on these accounts, would not be expected to attend the Court, but when instigated by personal motives, or political views, were not ashamed to take their place amidst experienced judges, and to thwart the ordinary course of justice with their unhallowed voice. This pernicious part of the institution was abrogated since the accession of the house of † Hanover. By a statute of James VI. parochial clergymen are forbidden ‡ from bearing any office in this Court; and, by one of the rescinded acts, this prohibition is extended against all churchmen whatever. The judges of this Court must now be chosen from among advocates of at least five, or writers to the signet of ten years standing: But, in practice, instances of the latter being raised to the bench are extremely rare.

The judges in this, as in all supreme courts, are in the nomination of the Crown; yet James VI. gave the court a power of electing their own president; and afterwards made a regulation, that, upon every vacancy in the bench, his majesty should present to the court a list of three § persons, out of whom they should nominate the judge; and, in fact, two judges were installed in this manner: but the king quickly resumed the exercise of both these rights. These have, ever since, continued with the crown, except during the usurpation, before which, the parliament of England and Scotland had gone hand in hand, in stripping the king of all his prerogatives, till he was finally robbed of his crown and his life. At that time, the Scots parliament enacted, that the officers

* James V. parl. 5. c. 36. *et seq.* By mistake, in the printed copies of the acts, it is called 1537.; Erskine's Inst. fol. edit. p. 40. † 10. Geo. I. c. 19.

‡ James VI. parl. 8. c. 133.; Rescinded acts, A. D. 1640. c. 26.

§ James VI. parl. 6. c. 93. act of *sederunt*, 26th June 1593.; Rescinded acts 1641, c. 15. Charles II. parl. 1. c. 2.

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of state, and Judges of the Court of Session, should be nominated by the king, with advice of the estates of parliament; a rule which was abolished at the Restoration.

In the statute erecting this court, Edinburgh is mentioned as its place of meeting; yet the summonses, (which run in the king's name), in expressing the place of meeting *, mention '*Edinburgh, or where it shall happen them to be for the time.*' And, in fact, there have been instances of their meeting at Linlithgow and Stirling. This court sits two terms in the year, from the 12th of November to the 12th of March, and from the 12th of May, to the 12th of July, with an interruption of about three weeks during the Christmas holidays. It is curious to observe, that the circumstance of this court's sitting in the Christmas holidays, or not, has been a sure criterion whereby to judge of the dominion of the presbyterians. Various contradictory regulations have been made concerning this important point.

In those nations, where the feudal law prevailed, the king has been deemed the fountain of jurisdiction. He often sat in person to decide justice, and either he, or the judges deputed by him, discussed all causes whatever. There are many instances of the Sovereign's sitting in judgment in Scotland, some of them at no very distant æra. As, by the ancient law, the accused might either purge themselves by an assize, or by judicial combat; if they chose the latter, the battle was urged in presence of the king, his justiciary, or the Lord High Constable, who decided upon the issue of the contest. A decree of † King Robert Bruce, A. D. 1312, is preserved, in which the king adjudged a coat of arms to William Harding, an Englishman, upon the pretensions to that coat having been decided before the king, by single combat, between Harding and William de Saintlowe, a Scotsman. Nay, so late as the reign of James V. there is an ‡ instance of judicial combat having been decided before that monarch. In few nations of Europe, the sovereign retained his judicative authority so long as in Scotland. He presided in the tribunal, in the ordinary course of justice, after judicial combats had become unfrequent. In the reign of James III. a trial for high treason is preserved, in which the king sat as judge ||, and the Lords of parliament formed themselves into a jury; and, in that of

* James V. parl. 5. c. 37.

† Accompts of the Chamberlain of Scotland published by John Davidson, Esq. Appendix 2. No. 2. ‡ Drummond's History, p. 105.

|| Upon this trial, Lord Kaimes, observed, that the Lords of Parliament were both judges and jurymen; but we presume the King to have been judge, the Lords of Parliament the jury. The reader will judge from the trial, Appendix, No. 9.

James VI. that prince presided in the Court of Session in several instances: in one especially, where he and Sir William Douglas * of Glenbervie, were competitors for the estate of Douglas, and in which the sovereign, who presided in the court, had judgment pronounced against him.

The Court of Session was erected by James V. into a body-corporate, to be called the *College of Justice* †. It consists not only of the judges, but also of the advocates, writers to the signet, clerks of session, and some others. They are endowed with many valuable privileges. They are not subject to the jurisdiction of any inferior judges. They are exempted from paying the taxes imposed upon the inhabitants of Edinburgh for ministers' stipend, and from paying of impost on liquors, and performing any services within the borough: nay, by several statutes, they are exempted from paying land tax, and from all public taxes and contributions whatever; a privilege which, indeed, they have not exercised since the Revolution.

The Court of Session possesses a jurisdiction, and exercises powers so extensive, as not to be exceeded by those of any tribunal in a free country. This plenitude of power is owing to a variety of circumstances, which we shall endeavour to explain. They possess supreme civil jurisdiction, liable, however, since the Union, to the review of the House of Lords, a mark of subjection which, before that was not imposed upon them; for, by the law of Scotland no appeal lay ‡ from the Court of Session to the parliament. They do not judge maritime nor consistorial causes, nor those which are proper to a court of freeholders, or the Lord Lyon, in the first instance; but the decrees of these different courts are subject to their review. They possess a criminal jurisdiction ||, not only in those matters which may arise incidentally in civil causes, such as perjury and forgery, but also in the crimes of usury, deforcement, wrongous imprisonment, fraudulent bankruptcy, and others; and, although they cannot indeed punish capitally, yet whipping, imprisonment, pillory, *nailing the ear to a post*, and perpetual § banishment, are classed among the number of their punishments.

The chief circumstances which make their power important, and may some day render it formidable, is, that they are judges both of law and of fact; that neither in their civil nor crimi-

* *Craig, Jus Feudale, lib. 3. dieg. 7.* § 12. + James V. parl. 5. c. 36. 36, 68. Mary, parl. 6, c. 39. Charles II. parl. 2. sess. 2. c. 8. Act of Sederunt, 23d Feb. 1687.

‡ See a disquisition concerning this matter, Book 1. c. 4. *prop. fin.*

|| Mary, parl. 6. c. 47; James VI. parl. 7. c. 118; William, parl. 1. sess. 6. c. 5. sess. 6. c. 6; Officers of State against Coutie, 2d March 1611.

§ Acts of Sederunt, 8th January 1736, 23d February 1739, 28th July 1739, 18th February 1747, 26th February 1762.

nal capacity do they ever hold trials by jury. This material circumstance is clearly an innovation in the law of Scotland. The old * laws and statutes every where make mention of trial by jury, in matters civil, as well as criminal; that of trials by peers † was in both nations, what it still continues to be in England, a fundamental law of the country. An ingenious author has conjectured, that, whenever trials came to be held, not by one, but by a plurality of judges, the use of juries was deemed superfluous, ‡ as it was thought, that a trust might be reposed in a multitude of judges, which could not safely be vested in one; accordingly, that when causes which were in use to be tried by the Chamberlain, or Justiciary, came to be discussed by the king and council, trial by juries was superseded: that the original Court of Session, which was instituted A. D. 1425, to relieve the king and council, and which was very numerous, would naturally adopt the forms of the court to whose authority it succeeded; and that the court of *Daily Council*, and the present *College of Justice*, which successively were substituted in its room, would imitate the same example. In support of this hypothesis, the same author has observed, that the intervention of a jury were never used in parliament: and, accounting for juries being also disused in causes before the Sheriff, after observing, that this mode of trial, in Sheriff Courts, is mentioned in a statute A. D. 1587, he has attributed the innovation to the appetite for power, and desire for imitating our superiors, having produced that encroachment. He confirms his opinion, by a discovery, that, in the most remote county of Scotland, trials by jury had not gone into disuetude in the Sheriff Court, so late as the year 1604. From the general proceedings of the Court of Session, as well as the conduct of the Lords of Justiciary, in the cases of Caldwall, Drummond and M'Donald, it would appear, || that the

* Regiam Majestatem, lib. 1. c. 12; Quon. Attach. c. 32. 67; Statuta Alexandri II. c. 3; Statuta Roberti III. c. 1.

† The *brief of inquest*. A branch of that custom, in civil matters, still remain; without it, no body can be served heir to a person dying intestate.

‡ Kaimes's Law Tracts, p. 270, 274.

|| In the case of Caldwall, the prisoner was charged with a robbery. He pled lunacy. The court took trial of his insanity by witnesses, and pronounced his madness affected. Then the fact of the robbery was remitted to an assize, was found proven, and the prisoner condemned and executed. The case of Drummond, the printer, has been already mentioned, Book 3. c. 4. In that of M'Donald, the prisoner was brought before the court, as being one of the persons mentioned in the act of attainder, passed in the 19th year of George II. and sentence of death was craved to be awarded against him. He pled, *that he was not the person mentioned in the act of attainder:* that, supposing him to be one of the persons meant, the condition under which the act of attainder

supreme judges in Scotland are extending, both in their own and in the inferior judicatories, the latitude of trial without jury.

In virtue of an act, impowering the Court of Session to make statutes for regulating of process * agitated before them, and for the speedy execution of justice, they exert a species of legislative authority. For, in what they call their *acts of sederunt*, they not only regulate the form and manner of proceeding before the court, but pronounce edicts which, it appears, require a sanction from no lesser authority than the legislature. For instance, besides making an act of sederunt, that their own salaries should not be liable to arrestment, which, it may perhaps be pretended, was but declaratory of law, they enacted, that all bankrupts should continually wear an upper coat, whereof the one half to be of yellow cloth, and the other of brown, and upon their head a cap of the same sort. That, if the magistrates of royal boroughs should permit prisoners for debt to retire beyond the walls of their prisons, without a certificate of their being in extreme danger of life, the magistrates should be made liable for the debts of the prisoners, although they returned to durance. They have frequently fixed the prices of provisions, and have given authority to magistrates to compel all inn-keepers, and dealers in poultry, to declare, upon oath, at what prices they had sold poultry †, dressed or undressed; so that it might be discovered whether the standard prices were conformed to. Upon the death of commissaries in the ecclesiastical courts, and of sheriffs-depute, they have been in use to grant commissions to persons to exercise these offices, till they were of new filled up by the crown. These, however, were, comparatively speaking, trifling exertions of authority. The manner of removing from lands tenants continuing possession after their leases were expired, was regulated by express statute, *not gone into disuetude, but in full and daily force.* As inconveniences were felt from the mode laid down ‡ by act of parliament, the Lords of Session, by their own authority, made an act of sederunt, impowering proprietors of land to pursue a different and more summary mode of removing than that prescribed by statute.

took place never existed; for the prisoner had surrendered himself within the time limited; and he craved, that the facts might be tried by a jury. This the Court refused; and they pronounced sentence of death against him; but he was saved by royal mercy. Records of Justiciary, 15th July 1737, 11th March 1754.

* James V. parl. 7. c. 93.

† Acts of sederunt, 27th February 1662, 26th February 1665, 15th January 1669, 14th June 1671, 3d November 1742, 17th July 1744.

‡ Mary, parl. 6. c. 39. Act of sederunt, 14th December 1756.

Upon the disturbances which happened in Scotland on the commencement of the malt tax, the court assumed a high tone of authority. As this tax was deemed very oppressive, it excited tumults in many parts of Scotland. But, in Edinburgh, there were no disturbances, unless a resolution which was begun to be formed by the people, not to drink ale at an advanced price, and by the brewers to give up their business, as no longer profitable, shall be deemed such. The Court of Session made an act of sederunt, ordaining, that no ale should be sold under two pence the Scots pint. Upon an information being presented by the Lord Advocate against the brewers, that they intended, in a body, to relinquish their employment, the Court ordered the whole persons complained upon, to the number of a hundred and fifty and upwards, to continue their business till the first of November * ensuing, in the manner they had respectively carried it on for a month past. They further required the whole brewers to appear before them next day, and to bind themselves to carry on their business in the manner, and for the time prescribed, under the penalty of L.100 Sterling each. Mean time, a petition was presented on behalf of the brewers, who appeared next day in court, agreeably to the citation, but refused to bind themselves in the terms prescribed. The court renewed the order upon the brewers, proroguing the time for their compliance till the 10th of August, and ordaining all those who, at the time specified, should still be found refractory, to be incarcerated till the first of November. As for the brewers' petition, the Lords rejected it, ordered it to be kept by one of the clerks of session, as a document for the prosecution and punishment of its † authors, prohibited any copies of it to be

* Unprinted acts of sederunt, 8th, 29th, 31st July 1725. Edinburgh Evening Courant, 8th, 29th July, 9th, 23d, 24, 26th August 1725.

† The proceedings of the Court upon this occasion are very imperfectly recorded in their books of sederunt. No mention is made of a petition having been presented for the brewers, and the order for burning it is omitted. It is preserved in the Edinburgh Evening Courant of the 2d August, in these words: 'Edinburgh, 'July 30. Whereas, the Lords of Council and Session have, by 'their interloquitor of this date, found a petition presented to 'them by certain brewers, to be false, scandalous, and seditious, 'and filled with positions that endeavour to pervert, and are flatly 'contradictory to law, tending to promote opposition and diso-'bedience to his majesty's government, and highly reflecting on 'the authority and justice of this Court, and exciting distrust 'thereof among the people, and therefor rejected the same, and 'ordained a copy thereof furthwith to be burned by the hand of 'the common hangman at the cross of Edinburgh; and appointed 'and required the magistrates of the said city to see the same put

made, except an attested one, to be given to the Lord Advocate; and, at the same time, they sent a very low retainer to the court, with a written order, which was to be read in all the printing-houses in Edinburgh (but no copies of it to be left) discharging the printing or publishing any copies of the petition. The brewers still continuing refractory, several of them were incarcerated; but, as they observed that some of their brethren were carrying on the business, those who were in confinement also became bound for their compliance, and, in consequence, were set at liberty. His majesty being then abroad, the Lords of the regency sent a letter to the Court of Session, expressing * the warmest thanks for, and the highest approbation of their proceedings.

These acts of authority, as well as their deciding both as a court of law and of equity, are, (it is said), exertions of the *nobile officium*, which it is alledged is inherent in the supreme judicatory of every country, but more particularly vested in the Court of Session, by the act impowering them to make statutes for the speedy execution of justice. This *nobile officium* must contain some magic influence, of which, like a talisman, the virtues of it are only known to the sage who prepared it. For, no definition that we have † heard of the *nobile officium*, no interpretation which the statute pled upon can bear is equal to the exertions of authority manifested by this court. A celebrated writer has supposed, that the court did not exert this ample authority ‡, nor decide upon princi-

'in execution. And, in regard there remained not sufficient time 'for the court to proceed fully upon it this session, ordained Sir 'John Dalrymple, his majesty's clerk, to keep the principal peti-'tion, to the end further directions might be given for detecting, 'prosecuting, and punishing, according to law, the authors, ad-'visers, abetters, and subscribers thereof. And discharged the 'said clerk to give out any other copy of the same, excepting one, 'which he was thereby required to give to his majesty's Advocate 'attested. These are therefor appointing and requiring the ma-'gistrates of the city of Edinburgh to see the copy of the said 'petition herewith delivered, furthwith burned by the hand of the 'common hangman at the mercat-cross of Edinburgh, as aforesaid. 'Signed HEW DALRYMPLE, J. P. D.' The petition, which was the subject of this angry edict, is not to be recovered. Edinburgh Evening Courant, from 29th July to 2d August 1725.

* Unprinted acts of sederunt, 2d Nov. 1725.

† On this head, see Aliciati op. v. 1. p. 93. sect. 39. v. 2. p. 381. sect. 12. v. 3. p. 681. sect. 53. p. 682. sect. 55, 56. Lexicon Jurid. Calvin. in voce Nobile Officium; Corp. Jur. Civ. D. lib. 1. tit. 3. l. 12, 13. C. lib. 1. tit. 14. l. 1. James V. parl 7. c. 93. Introduction to Kaimes's Principles of Equity. Bankton's Institutes, in tit. Jurisdiction of the Court of Session.

‡ The passage is taken from an unprinted act of sederunt, 27th November 1592, in these words: 'That, *in time coming*, they will judge and decide upon

ples of equity, till about the middle of the last century. But the passage from which he has drawn this inference, leads us, on the contrary, to conclude, that the court has proceeded in this manner from its first constitution; and that, at the time alluded to, the judges, feeling the inconveniency which attended so precarious a system of deciding, had resolved, for the future, to confine their decisions within the dictates of common law; a resolution which the natural love of power, or perhaps the recurring idea of hardships, arising to individuals from an uniform adherence to the common law, led them quickly to renounce. We are confirmed in this opinion, by the alarming ideas of their power which Buchanan conceived *.

It has been already observed, respecting the judicative capacity of this court, that they act both as judges and jury. They are a court both of law and equity; therefore, it must necessarily happen, that they decide sometimes on the principles of the one, sometimes of the other; and as, when no invariable rule is observed, different men must frequently conceive different notions of the importance of a point of form, it happens, that the appointed forms of proceedings before the court, are sometimes adhered to, and sometimes not; so that, in a case where there is any discrepancy between law, equity, and form, it is impossible to pronounce before hand, with a high degree of probability, upon the decision of the court. There are still other circumstances which conspire to increase their latitude in giving judgment, and to render the issue of trials before them more uncertain. By the Scots law, acts of parliament may go into desuetude; so that, in bringing an action upon a statute, it comes sometimes to be debated, whether the act libelled on be in force or not. Nay, it comes frequently to be a matter of question, whether certain British statutes extend to Scotland.—Such is the importance of her representatives, and such their attention in conducting the business of parliament. If there are two or more points in a cause, sometimes the court decides the controversy by one general vote upon the matter at issue. At others, they will have as many votes upon the cause, as there are points and

'clauses, &c. precisely according to the words and meaning of the same.' Which is, in as many words, that, previous to this act, they had done otherwise: Principles of Equity, p. 50.

* The following passage was probably written about A. D. 1580. 'Ab iis, '(says that celebrated historian,) cum ab initio multa utiliter essent excogita-'ta, ut jus aequabile diceretur, tamen qui sperabatur eventus non est conse-'cutus. Nam, cum in Scotia nullae pene sint leges, præter conventuum 'decreta, eaque pleraque non in perpetuum, sed in tempus facta, judicesque, 'quod in se est, lationem legum impediant, omnium civium bona quindecem 'hominum arbitrio sunt commissa, quibus et perpetua est potestas, et imperium 'plane tyrannicum, quippe quorum arbitria sola sunt pro legibus.' Buchanani op. v. 1. p. 273.

branches in it; so that a person may convince *eight judges out of eleven*, that his antagonist's * claim is ill founded, and yet that claim be sustained.

It is a misfortune attending the mode of conducting business before this court, that its multiplicity is rendered so great, as to make it impossible for the judges to do their duty, without subjecting themselves to slavish drudgery. In this court, there are a president and fourteen other judges. Each of the fourteen sits for a week alternately in the *Outer House*. The judge so sitting, is called the *Lord Ordinary;* and, except certain causes, of peculiar intricacy and importance, which can only be brought before the whole lords, he discusses all causes that are put in the roll, during the week that he sits in judgment. These causes are seldom determined upon a single hearing, and the judge has a power of altering his own sentence as often as he inclines. Each of the lords comes once or oftener in the week, to the outer-house, to hear pleadings, or give judgment upon those causes which came first before him when he sat as Lord Ordinary; and, upon which, many written cases, or *representations*, (as they are called), may have already been laid before him. If the parties do not acquiesce in the Lord Ordinary's judgment, which, in matters of any importance, is always the case, application is made for altering the sentence, by a printed petition, which is presented before the whole lords. Besides petitions, various printed

* This is no figurative case, but one which actually happened within these three years, and, in effect, decided the election of knight of the shire for the county of Fife, in the present parliament. The person who was returned by the sheriff, as duly elected, had a majority by one voice, in consequence of an addition made to the roll of freeholders on the day of election. The other candidate complained to the court, that one of the persons, then admitted as a freeholder, had no qualification, and, therefore, fell to be expunged from the roll, and that for two reasons then alledged. Out of eleven judges, who were then on the bench, eight declared their opinion, that the qualification *was bad*, five, in respect of the one objection urged for the plantiff, and three, in respect of the other. One judge spoke in favour of the defendant, and two were silent. The defendant's counsel insisted, that the objections to the qualification should be voted separately. It was done so accordingly; and the first was over-ruled by eight to three, the second, by six to five; and thus the qualification was sustained, while, out of eleven judges, eight thought it bad. Upon this occasion, there was another circumstance concerning the judgment of the court yet more extraordinary; but we do not chuse to repeat it: Decisions of the Court of Session; Henderson against Dalrymple, 7th March; and Petition for Mr Henderson, 8th March 1776.

papers are produced, under the titles of state, case, proof, information, answers, replies, and duplies; yet, notwithstanding these voluminous papers, the lords will often hear pleadings in the same cause, and these commonly very prolix, often taking up the court a whole week, sometimes three weeks. Considering the copiousness of the printed papers which are laid before the judges, to have both these, and pleadings in the same cause, we apprehend to be, in general, superfluous, and to be a great waste of time: for it must be observed, that every judge, besides his business as Lord Ordinary, as one of *the fifteen* has to review all the decisions complained upon, that have been pronounced by the other thirteen ordinary judges.

The salaries of the Lords of Council and Session (for that is their title) is small when compared to their trouble and their rank. That of the Lord President used to be L.1200 a-year; but, in the year 1769, an addition of L.300 was made, during the life of the present Lord President, and it will probably be continued to his successors in office. The other judges, as Lords of Session, have a salary of L.750. One of them, as *Lord Justice Clerk* *, has L.500 more, and five of the other judges have L.200 each, as *Lords Commissioners of Justiciary*, besides a sum equivalent to paying their expences, when going the circuits. The Lord Advocate, an officer similar to the Attorney General in England, but with much higher powers, has a salary of L.1000; the Solicitor General of L.400; and four of his Majesty's Advocate's-depute, of L.100 each. There are six principal clerks of session, whose offices are worth from L.400 to L.500 each, besides as many depute-clerks, and other inferior officers.

Of the Court of Justiciary.

It has been already explained, that the *Justice-ayre*, or Court of Justiciary, was the supreme court, civil as well as criminal, over the barons, and those residing within their domains. After the original Court of Session was instituted, it still retained its civil jurisdiction; but, upon the erection of the College of Justice, the authority of the Court of Justiciary was restricted to criminal affairs. The judges were the Lord Justice General, Justice Clerk, and certain assessors added to them by the privy council, who were chosen from among persons not versant in the laws, and whose commissions only lasted during the particular trials upon which they were appointed to preside. A constitution † so highly improper, was al-

* i. e. President of the Court of Justiciary, in absence of the Lord Justice General.

† Charles II. parl. 2, sess. 3, c. 16.

tered by Charles II. and the court modelled into its present form. It now consists of the Lord Justice General, who is always a peer of the most distinguished rank or influence, the Lord Justice Clerk, and five Commissioners of Justiciary, who are also Lords of Session. The office of Lord Justice General, bears a similar relation, in the Court of Justiciary, to that of one of the extraordinary Lords formerly in the Court of Session, and, like these too, ought to be abolished *.

The Court of Justiciary has a supreme jurisdiction in criminal affairs. The decrees of sheriffs, and other inferior criminal courts, as well as those of the Court of Admiralty, are liable to its review. It has been doubted, how far the decrees of the Court of Justiciary itself, are subject to the review of the House of Lords. This is a matter of great importance; and, in so far as may be consistent with the deference due to the respectable persons who entertain opposite notions, we deliver our opinion without diffidence or reserve, '*That an appeal lies from the Court of Justiciary to the House of Lords.*'

The decrees of the ancient Court of King's Justiciary, or Justice-ayre, from which the present court has, after several changes, been modelled, were subject to the review of parliament. That court took cognizance of causes both civil and criminal, *and these too by jury.* After the institution of the College of Justice, when the King's Justiciary no longer meddled with civil causes, we find † King James V. taking the opinion of parliament, upon a criminal trial, depending before that judge. Even since the erection of the court into its pre-

* We apprehend there was no system of liberty in Scotland till the Union. Since that, we know but of three trials in which the Lord Justice General presided. They were all political. In all of them, government exerted itself to make the prisoners objects of exemplary punishment. The first was that of the Glasgow rioters; and in it, the Lord Justice General entered his dissent and protest against the opinion of the ordinary judges, in finding that the rioters were not subject to a capital punishment. The second was that of Provost Stewart already mentioned. The third was that of James Stewart of Aucharn, for the murder of Campbell of Glenure, the only trial that we know of, in which a Lord Justice General, and Lord Advocate, condescended to go upon a circuit. A trial, in which government was supposed to have exerted its utmost influence to procure a conviction of the prisoner; and in which, upon his conviction, the Lord Justice General addressed him in a most insulting speech; a speech, which, far from being expressive of generosity and compassion, breathed an ardent spirit of political hatred and resentment. Rec. of Just. 4th Oct. 1725. Printed trial of James Stewart of Aucharn, A. D. 1753.

† James V. parl. 6. c. 69

sent form, frequent instances of the reversal of sentences of * *forfeiture* occur in the parliamentary proceedings. But further, an appeal from the Court of Justiciary was actually received by the House of Lords, A. D. 1713 †, and the judgment of that court reversed. In a late case, where a petition of appeal, presented from that court, was dismissed, it was only found, 'that the said petition ‡ and appeal, was not properly brought;' nothing was decided respecting the general point.

The stress which is laid upon no instances of appeal being to be found from the Court of Justiciary, as presently modelled, to the Scots Parliament, is over balanced by other considerations; besides, it is easy to explain why there were none. Appeals from the Supreme Civil Court were not admitted after the institution of the College of Justice, down till the Revolution. In that period of a hundred and fifty years, appeals from the Court of Session were only thrice attempted, and each attempt was rejected; therefore, by a parity of circumstances, people would be led to acquiesce in the sentences of the Supreme Criminal Court. Besides, the Court of Justiciary was very submissive to government, its decrees were engines of oppression, the court used often to remit the jury, ordering them to amend their verdict. Now, it was in vain to think of obtaining relief from parliament, against an iniquitous sentence of that court, if procured by the influence of the crown; because, the Lords of Articles might put a negative upon hearing of the cause; and, if the Lords of Articles failed to do it, the king's commissioner might himself do it. Further, the Privy Council, which was, indeed, a most tyrannical court, used to interfere with the sentences of the Court of Justiciary, sometimes by mitigating them, sometimes by remitting the punishment entirely, and at others, by ordering no sentence to pass upon the verdict of the jury: nay, there is an instance of the Court of Session suspending and reviewing a decree of the Lord Justice General, although it was || expressly pled, that he was supreme in criminal affairs; and, therefore, the jurisdiction of the court declined.

Every argument which can be drawn from analogy, or from the foundation of appeals, favours our hypothesis of an appeal lying from the Court of Justiciary. The decrees of the Court of Session and Exchequer, in short, of every supreme Court in Britain, are subject to the review of the House of Lords. It would require then, some very express law to exempt the Court of Justiciary from a jurisdiction to which all other courts of the same rank in the nation are subjected. The foundation of all appeals seems to be, that a superior and

* *i. e.* Conviction of high treason. † Law Tracts, p. 276.
‡ Maclaurin's Cases, p. 581. || State's decisions, 16th December 1664, Innes.

supreme court is both possessed of higher wisdom, and not exposed to that undue influence which may be supposed to have operated in an inferior court; and that, as all inferior Courts are limited in their jurisdiction, either in respect of territory, or of the causes brought before them; such as civil, criminal, maritime, &c. a challenge is competent, that the Court which pronounced the decree, had no jurisdiction. We hold, therefore, that the decree of every Court, which has not an universal jurisdiction, must be subject to review. We have already remarked a case in which the Court of Session suspended and reviewed a decree of the Court of Justiciary. Let it be supposed, that the latter had insisted upon its judgment being inforced, and that no obedience was due to the interdict of the Court of Session, (which it appears would have been well founded), there would have been no possibility of deciding upon the pretensions of the Courts, but by appeal to the House of Lords.

An appeal must be founded, either upon a Court having exceeded its jurisdiction, upon some informality in the proceedings; or, upon wrong being committed by some false finding in law or in fact. Now, in all of these, the last excepted, ground of appeal may be given, by the Court of Justiciary: nay, in one of the cases already noticed, that of Macdonald of Barisdale, the only trial before that Court, for high treason, since the accession of the house of Hanover, the Court not only decided without a jury, but also refused the prisoner a proof of facts, which, if he had made good, we apprehend no jury in the nation would have convicted him.

It cannot be, upon the head of trials before this Court, being taken by jury, that it is argued appeals should be refused; for this, in England, would tend to exclude almost every appeal: besides, the Court of Justiciary, is in use to review the sentences of other courts, such as those of Sheriffs and of the * Admiralty, which have proceeded upon the verdict of a jury. And further, the sentences are often not supported by the verdict of a jury; for instance, when the verdict returned is special, and consequently the guilt is fixed by the Court; when there is any informality in the proceedings of the jury, which ought to vitiate and annull their verdict; or, when the Court proceeds to judge altogether without jury. If the case

* Maclaurin's cases, p. 75. 80. In one of the cases alluded to, the Judge-admiral sentenced two men to be hanged. The convicts applied to the Lords of Justiciary for a review of the sentence. The Court, accordingly, pronounced an interdict. The Judge-admiral was of opinion, that the Court had no jurisdiction; and, notwithstanding the interdict, issued orders to the magistrates of Edinburgh to put the sentence in execution; but the magistrates did not think proper to yield obedience.

of Drummond the printer is to be made a precedent, and any pamphlet, offensive to government, should make its appearance, there is nothing to hinder the Lord Advocate from libelling the supposed author or printer before the Court of Justiciary, nor to prevent that court from convicting the prisoner without a jury, and finding him liable in pecuniary penalties, or sentencing him to pillory and banishment.

It cannot be on account of the want of importance of the causes tried before this court, that it is pretended no appeal lies from it; for what so sacred, as life, honour property, and posterity? Neither can it be upon the infallibility of the judges, either real or supposed; for, if it is supposeable, that the judgment of a majority of the Court of Session may be erroneous, surely that of any single * judge in the number may be so: and, within a period of three years, in a matter of life and death, the judgments of the Court of Justiciary at Edinburgh, and † of the Circuit Court at Aberdeen, in similar cases, were directly opposite.

* The Judges of Justiciary must all be Lords of Session. Any one Lord of Justiciary can hold a Circuit Court; and it has been found by a late decision that the judgment of the Circuit Courts are not liable to be reviewed by the Court of Justiciary. Records of Justiciary, 11th July 1763.

† In the case of Janet Ronald, indicted A. D. 1763, for poisoning her sister, one of the jurymen fell suddenly ill, and the trial was adjourned. Next morning, the jury were inclosed, and returned a verdict, finding the prisoner guilty. But, upon its being pled in arrest of judgment, that the verdict was null, and that no sentence could pass upon it, in consequence of the jury not having been constantly kept together from the beginning to take the evidence, till they had pronounced a verdict, the court dismissed the prisoner from the bar. But in the case of Helen and William Keith, indicted for parricide before the Circuit Court at Aberdeen A. D. 1766, a case in which the evidence was so lame, that, although it created a presumption, it afforded no legal proof of guilt, one of the jurymen went out of Court into the open streets; yet the single judge who was on the trial, notwithstanding the precedent, and also an act of parliament, over-ruled the objection, and condemned the prisoners: but his Majesty granted them a pardon.

But, further, not to compare the decrees of the Justiciary with those of the Circuit, but those of the Justiciary with each other, it was found, A. D. 1754, in the case of Robert Lyle, who was convicted of theft and house-breaking, that two jurymen, going out of the Court-house, in the midst of the trial, to the distance of about fifty yards, where they got a refreshment of wine and biscuit; and two more of the jurymen going to a tavern about the like distance, and there joining a company, drinking ale and punch with them, and chaffering about the lease of a farm, did not vitiate the proceedings. The case of Janet Ronald is mentioned

There is still an additional reason why appeals should lie from the Court of Justiciary. There is no determined system of criminal jurisprudence in Scotland. It is a matter of doubt what is a crime in the eye of her law, and what not, also what is the punishment annexed *. The libels conclude, that the prisoner, upon being convicted, ought to be punished with *the pains of law*. Before an indictment goes to proof, it is always ascertained, indeed, whether a capital sentence can follow upon conviction; but, in cases not capital, the degree of punishment to be inflicted generally remains at the discretion of the court. The indictments are sometimes laid upon the statute law, sometimes on the civil, sometimes on the Levitical. The Scots statute-book is full of unrepealed laws, absurd, tyrannical, and oppressive; and, (as has been already observed), it becomes a matter of debate, whether they are

above. *Now, from these, it follows incontrovertibly, either that, in A. D.* 1754, *a person convicted of theft, suffered death, in consequence of an illegal sentence of the Court of Justiciary; or, that in* 1763, *a woman, convicted of poisoning her sister, was acquitted, by an illegal sentence of the same tribunal.* And, in the case of William Wood, tried at the Circuit Court of Jedburgh, 27th May 1776, for entering a house, and stealing some pieces of cloth out of an open chest, when the clerk of Court was going to inclose the jury in the usual manner, as the acts directed, James VI. parl. 11. c. 91.; Charles II. parl. 2. sess. 3. c. 16. the judge told them, 'That the case was 'clear; that there was no necessity for inclosing at all; and that 'Mr ****, (naming one of the jury), was a proper person to be 'their foreman.' Not only were his Lordship's directions obeyed, but the jury, after making out a verdict, finding the prisoner guilty, *showed it to the counsel for the prosecutor, and asked his opinion if it was a proper verdict.* Although, on these accounts, the verdict, beyond dispute, was null, the judge pronounced sentence of transportation for life against the prisoner, and also adjudged him to slavery for three years. In this case, a remedy was attempted, by a bill of suspension, or application for an interdict, presented to the Court of Justiciary. Not only, for the reasons already mentioned, but because the sentence of transportation to the Colonies could not take place, as they were in a state of rebellion, and that, if he was confined till an opportunity should occur, of transporting him thither, his sentence might turn out to a perpetual imprisonment. But no relief could be granted; for it was found incompetent to bring the sentence of a single judge upon a Circuit under the review of the whole Lords. In this, as in the case of Keith, his majesty extended the royal mercy; Records of Justiciary, 20th December 1753, 18th January 1754, 11th July 1763, 4th February 1777; Printed trial of Helen Watt and William Keith, 1766.

* In the case of the Glasgow rioters, A. D. 1725, the Lord Justice General entered a protest against the judgment of the Court, in finding, that certain parts of the indictment did not infer a capital punishment.

gone into desuetude. There is no professed treatise on the criminal law of Scotland, that either is, or ought to be considered as an established authority. Now, in these circumstances, to exclude all remedy by appeal, against the sentences of this Court, much more of a single judge upon a Circuit, would, in our opinion, be to prevent redress of those wrongs, which, from the frailty or depravity of mankind, may be committed in the dispensing of justice.

In a country where such anxiety has been shown to guard against oppression from the crown, it surely will not be said, that the liberty of petitioning for royal mercy is a sufficient remedy against iniquity. Alas! although we live at present under a mild and gracious prince, it must not be forgotten, that, from the influence of the crown, the chief danger is to be dreaded. 'Can a man, * (as is well said by a writer on this 'subject), expect justice from his party, or mercy from his 'enemy?' Nay, although the royal mercy be extended, the reparation is not adequate to the jury. A royal pardon may, indeed, heal the wound, but it cannot remove the scar. We approach the throne, the humble suppliants for favour; but, before a court of law, we are entitled boldly to demand justice.

In a late case, it has been, with great propriety, established as law, that an appeal cannot be received against an interlocutory sentence † of the Court of Justiciary; because, otherwise causes might be protracted unmeasureably. But we can perceive no alarming consequences from appealing against a definitive sentence. The vanity of challenging a decree, proceeding upon a clear point of law, and regular verdict of a jury, will be perceived. Although it should not operate upon every occasion, it cannot be supposed that the House of Lords will receive appeals promiscuously; and, at all events, the appeal may ‡ be discussed before there is a possibility of exe-

* Maclaurin's Cases, p. 594. † Ibid. p. 523.

‡ By act 11. George I. c. 26. in Scotland, no sentence of death, or corporal punishment, can, on the south side of the Forth, be put in execution in less than thirty, and on the north, than forty days.

After the decisions of the Court of Justiciary mentioned above, it must be confessed, that this statute, retarding executions, has not been unattended with good consequences. It was enacted, however, upon an occasion sufficiently humiliating for the country. After the accession of the house of Hanover, the northern counties of Scotland were reckoned to be exceedingly disaffected to government. Numerous bodies of the military were quartered among them, to check and overawe them. As the officers looked upon the inhabitants as enemies to the king, these military gentlemen indulged themselves in an insolence of demeanour, now rarely to be met with among that respectable body; and, when their

cuting the criminal. Thus, by admitting of appeals, we are entitled to maintain, that a remedy will be provided against the violation of the most sacred rights of mankind, till some one shall step forth bold enough to aver, that, from the history of this Court, and from the study of human nature, 'no 'sentence of the Court, or of any single Lord of Justiciary, 'ever has been, or will be founded on error, caprice, or cor-'ruption.'

As civil actions of peculiar intricacy and importance could only be tried before the Court of Session, so, anciently, the crimes of rape, robbery, murder, and wilful fire-raising, which were called *the four pleas of the crown*, could only be tried before the Court of Justiciary. The Court, however, has not, for a long period, possessed such exclusive jurisdiction; treason being now, perhaps, the only crime which can be tried before the Court of Justiciary alone. In trials before this Court, the prisoners enjoy many favourable circumstances. They are always served before-hand with a list of the witnesses to be adduced against them; and, in capital trials, the evidence must be all reduced into writing. But there is no necessity for the jury being unanimous, the verdict of a bare majority of *the fifteen* is fully sufficient. If the prisoner be indigent, counsel are always appointed for him, and they are

irregularities were even of such a nature as to fall within the cognizance of the law, it was thought proper to connive at them, or to suspend its executions. In A. D. 1723, an officer went into a dancing-school at Perth, and used indecent familiarities with a young girl. The dancing-master, resenting the insult to his pupil with equal spirit and propriety, seized the officer by the neck, and turned him out of the room; and, as the officer was muttering vengeance, the dancing-master assured him, that, should they happen to meet, he would not find him unprovided with a sword. In a few days, accordingly, they met by accident; the officer drew, the dancing-master drew also. He parried the thursts of the former, and could, it is said, easily have put him to death. But a serjeant, who attended the officer, came behind the dancing-master, and pinioned him, upon which the officer run him through the body, and he died upon the spot. The public were enraged at so foul a murder; they were bent on vengeance; they foresaw an interposition of the crown, and were resolved to prevent it. The Provost of Perth sat in judgment upon the officer. He was convicted by a jury, and was sentenced to be hanged within three suns. He dispatched an express to London, applying for a pardon, which was granted; but he was hanged ere the pardon arrived; upon which the act already mentioned was passed. Although the view of the legislature was to prevent the law from laying hold on the friends of government, yet, in effect, it has been the means of saving the lives of subjects, when affected by absurd and iniquitous judgments, in violation of law.

indulged in a liberty, which they take too often, of being extremely prolix and trifling in their pleadings upon the relevancy of the indictment. Thus, from the trials before the Court of Justiciary, and those we have seen at the Old Bailey, although, in both, they appear very fair, yet their manner is extremely opposite. In the latter, they are conducted with plain sense, candour, and expedition—nothing essential rejected, nothing superfluous admitted; but, in the former, a great deal of wrangling is admitted; so that, together with the evidences being taken down in writing, the trials are spun out to an immoderate length. A trial is rarely finished in less than a day; they will often take up forty-eight hours, and, upon one occasion, the trial lasted ninety-four hours *.

Before this Court, the counsel for the prisoner is entitled, by act of parliament, to sum up the evidence in his behalf, and to be the last speaker, except in trials for high treason; and the address, or *charge* (as it is called), to the jury by the Lord Advocate, or other counsel for the public prosecutor, is always delivered with the utmost candour. But a notion somehow prevails, that the Lords of Justiciary are generally inclined to be unfavourable towards the prisoner; and, in fact, they do frequently address the jury after the † counsel for the prisoner has finished.

Of the Court of Exchequer.

The Court of Exchequer is one of the three supreme courts in Scotland. Anciently it consisted of the Lord Treasurer, Treasurer-depute, and as many Barons of Exchequer as the king thought proper to appoint. By an article of Union, it was declared, that this Court should be new modelled into a revenue court by parliament. Accordingly, by its new constitution, it consists of the Lord High Treasurer of Great Britain, a Lord Chief Baron, and four other Barons. These may be chosen either from among the serjeants at law, English ‡ barristers, or Scots advocates. Any may plead before this Court, who are entitled to practise as counsel in

* That of Provost Stewart.

† In a trial before the Circuit Court at Perth, A. D. 1774, (it was only, indeed, a matter of *adjudging to slavery for seven years, and transportation for life)*, we were witness to the judge, after the counsel for the prisoner had finished his argument, addressing the jury, mustering up *only* the evidence against the prisoner, taking to pieces the argument made by his counsel in his behalf, and declaring (although the proof was by no means direct), that he could not suffer himself to entertain a notion that the jury would acquit the prisoner.

‡ An. 6. Annæ c. 26.

Westminster-hall, or in the Court of Session, and the members enjoy the privilege of the College of Justice.

This Court, in most respects, decides according to the forms and laws of England. The mode of trial is by jury, and appeals from this Court to the House of Lords are competent. Its jurisdiction relates chiefly to duties of customs and excise, and all other matters concerning the king's revenue, either by virtue of his royal prerogative, or otherwise. But it is provided, that no debt due to the crown, shall affect the debtor's real estate, in any other shape than it could have been affected by the law of Scotland; and that the validity of the crown's titles to honours, lands, or casual revenues, shall be tried as formerly by the Court of Session. The Court of Exchequer has also the power of examining and passing all accompts of sheriffs, and other officers employed in collecting the royal revenues, and likewise of inspecting the accompts of magistrates of royal boroughs. The Lord Chief Baron has a salary of L.2000 a-year, one of the other judges of L.1200, a third of L.700, and the remaining two of L.750 each.

Of the High Court of Admiralty.

The office of Lord High Admiral of Scotland is very ancient, as well as the Court of Admiralty; but the form of their proceedings of old is not much known, as most of their ancient records are lost.

The Lord High Admiral was, before the Union, his majesty's lieutenant and justice general upon the seas, and in all creeks, harbours, and navigable rivers beneath the first bridge. He exercised his jurisdiction by deputies, the Judge of * the High Court of Admiralty, and the judges of inferior admiral courts in the different districts. By an article of the Union, the jurisdiction of the Admiralty is said to be under the Lord High Admiral of Great Britain; but this surely does not infer jurisdiction in a judicial capacity; for the decrees of the Court of Admiralty are, in civil causes, subject to the review of the Court of Session, in criminal, to that of Justiciary.

The judge of the High Court of Admiralty is appointed by the Lord Vice Admiral of Scotland, an officer of state nominated by the crown; and those of the inferior courts are in the nomination of the judge of the High Court. They have a jurisdiction in all maritime causes, civil or criminal. By prescription alone, the High Court has required a jurisdiction in mercantile causes, nowise maritime. The inferior courts

* James VI. parl. 12. c. 15. Charles II. parl. 3. c. 16. Ann, parl. 1. sess. 4. c. 7. § 19.

imitate the example, although their jurisdiction is disavowed by law in all causes, but those strictly maritime, and most properly; for the judges of the inferior courts of Admiralty are, by station and learning, less qualified to act as judges, than those of any court in the nation.

Of the Commissary Court.

The Commissary Court of Edinburgh, like that of Admiralty, is, in some respects, supreme, in some inferior. It can review the sentences of all other Commissary Courts; but its own decrees are subject to the review of the Court of Session. The Commissary Court of Edinburgh has a double jurisdiction, ordinary and universal. Its ordinary jurisdiction extends over its own district; that is, Edinburgh, and the four adjacent counties on the south side of the Forth. Its nature is to confirm testaments, to ascertain debts contracted by persons deceased, and give decree for payment of them; especially, if the debts relate to the last illness of the deceased, his funeral charges, or obligations arising either from testaments, or from the ties of nature supported by law, requiring alimony out of the effects of the deceased; to decide in all actions of scandal; and, in general, upon all debts not exceeding L.40. By its universal jurisdiction, it reviews the decrees of other commissary courts, and takes cognizance of all actions to prove a marriage, to procure a divorce, &c.

This court was * instituted by Queen Mary, and is the general consistorial court for Scotland. There are four judges nominated by the crown. They are chosen from among the Faculty of Advocates, and it is proper they should be so, for the judges have frequently to decide upon the principles of the civil and canon laws. It is certainly a great impropriety attending the constitution of this court, that the salaries, or to speak more properly, perquisites of the judges, are paid by the litigants before it. This is not only an oppression upon the subjects, but may lead to a very interested conduct on the part of the judges, who have a power of declaring how much the litigants shall pay for the sentence the judges pronounce. Four hundred pounds a-year is equal to the pitiful emoluments of the whole four judges. It ought certainly to be paid out of the public revenues; and should, indeed, be augmented, for their present emoluments are, by no means, an adequate recompense for their trouble.

* Balfour's Practics, p. 670. Erskine's Inst. p. 81.

Of the Lyon Court.

The *Lord Lyon King at Arms*, is an officer of high rank and antiquity. His office and station in Scotland are similar to that of Garter King at Arms in England. At the coronation of his present majesty, the Lord Lyon, and Garter Kings at arms, walked a-breast immediately preceding the Lord Great Chamberlain of England. Of old, the Lord Lyon was employed in carrying public messages to foreign states, and it is still his province to assist at declaring war, proclaiming peace, &c. He derives his name from the lion rampant, which he bears on his variegated robes, the armorial bearing of the Scottish kings. He was anciently installed into his office with the ceremony of a coronation. The last person who underwent this ceremony, was Sir Alexander Erskine of Cambo. After many solemnities the crown was put upon his head at the palace * of Holyrood-house, by the unfortunate James VII. then Duke of York.

The officers serving under the Lord Lyon, are heralds, pursuivants, and messengers at arms. It is the business of the last of these to execute all summonses before the Court of Session, to apprehend the person of debtors, and, in general, to perform the executive parts of the law. It is the province of the Lord Lyon, to adjust matters of precedency; to marshal persons walking in public procession †; to inspect the coats of arms of the nobility and gentry; to punish those who assume arms not their due; to bestow coats of arms upon persons deserving; to grant supporters to peers, or other persons of distinguished rank; and to take cognizance of, and punish offences committed by messengers at arms, in the course of their office.

Upwards of a hundred years ago, it happened the records of the Lyon-office to be burned; upon which an act of parliament was made, ordaining all the nobility and gentry of Scotland, to register their armorial bearings in the books of the Lord Lyon, under pain of the confiscation of all plate, carriages, &c. upon which arms not regularly entered should be depicted. The office of Lord Lyon has, of late, been held as a sinecure, in so much that it has not been thought necessary, that this officer should reside in, or ever visit the nation. The business, therefore, is entirely committed to deputies, who manage it in such a manner, that, in a country where pedigree is the best ascertained of any in the world, the national record of armorial bearings, and memoirs concerning the respective

* See the form of the Lord Lyon's coronation, in Appendix No. 10.
† James VI. parl. 12. c. 125. Charles II. parl. 2. sess. 3. c. 21.

families inserted along with them, are far from being the pure repository of truth. Indeed, there have of late been instances of genealogies inrolled in the books of the Lyon Court, and coats of arms, with supporters, and other marks of distinction, being bestowed in such a manner as to throw a ridicule upon the science of heraldry.

Of the Sheriff Court.

As the nation is divided into counties or shires, the sheriff was anciently the king's lieutenant, within his particular district, and enjoyed an extensive jurisdiction, civil and criminal. Of old, the sheriff reviewed the decrees of the Baron Courts within his territories. He mustered those military companies, or bodies of militia, whose exercises were known by the name of *weapon-shawings*. He receives, and still continues to receive, from the collectors within his district, the royal revenues, which he pays into the Exchequer. He summonses a jury of forty-five persons, out * of whom the Court of Justiciary selects fifteen, to sit upon trials held before them. He returns, as member of parliament for the county, the person having a majority of suffrages upon the roll of freeholders. He establishes, by the assistance of a jury, the *fiars*, or rates which must be paid for grain that ought to be delivered, when no precise price is stipulated. He has a civil jurisdiction, which, however, does not extend to a contest for the property of a landed estate; and a criminal one, in cases of theft, and other crimes of lesser moment.

The office of sheriff was, of old, in many instances hereditary. But, since the late Rebellion, this, and all other offices possessing any important heritable jurisdiction, were either dissolved, or resumed and annexed to the crown, (the jurisdiction of the magistrates of royal boroughs being still reserved entire.) The office is now exercised by a judge, called the † *sheriff-depute*, and by his substitutes. The sheriff-depute is appointed by the crown; he must be a member of the Faculty of Advocates of at least three years standing.

Of the Justice of Peace Court.

Very little business is transacted before the Justice of Peace Court held at Edinburgh, as most of the causes commonly brought before Justices of the Peace are, in Edinburgh, brought either before the magistrates, or the sheriff of the county.

* Skene de verborum sig. in voce *Sheriff*.
† An. 20. Geo. 2. c. 43.

That office is in Scotland of no earlier institution than A. D 1609. At that period, the king was authorised to name * commissioners, for binding over disorderly persons to appear before the Justiciary, or Privy Council. By subsequent acts, Justices of the Peace were impowered to judge in riots, and breaches of the peace; to regulate high-ways, bridges, and ferries, and determine matters concerning them; in which last, however, the commissioners of supply are joined with them. They have also authority to execute the laws against beggars and vagrants; to punish the offenders against sundry penal laws; to judge upon transgressions of the game laws, and concerning certain frauds committed against the duties of customs and excise; and likewise, to fix the rate, and ordain payment of servants wages, besides various other branches of jurisdiction; but, in general, the powers of Justices of the Peace are not so well understood, nor so accurately defined † in Scotland, as in England.

Of the Jurisdiction of the Magistrates of Edinburgh.

Besides the courts already mentioned, there are many others held in Edinburgh by the magistrates, or those appointed by them. The magistrates of Edinburgh are vested with ample powers, and an extensive jurisdiction; a jurisdiction which they formerly exercised in a latitude not to be paralleled but in a despotic monarchy; a latitude which has never been circumscribed by positive law, but alone by the imperceptible operation of the prevailing principles of liberty.

The citizens of Edinburgh had rescued James III. from imprisonment in Edinburgh Castle, where he had been confined by his rebellious subjects. In consequence of this, they enjoyed a degree of favour with that monarch, which induced him to bestow upon them very ample ‡ privileges. These were, from time to time, enhanced by grants from successive sovereigns, till they amounted to an intolerable acquisition of power. By one paragraph in one charter, they were vested with legislative, judicative, and executive authority. They were impowered to make statutes for the good government of the town, to which they gave so extensive an interpretation, as to enact any thing that seemed good to them. As judges, they tried offences against laws of their own making; and, as

* James VI. parl. 20. c. 7.

† On this head, see Erskine's Instit. p. 58; Bankton's Instit. b. 4. tit. 17; Burn's Justice of the Peace; Lambard's *Eirenarcha*; Blackstone's Commentaries, v. 1. p. 349. v. 4. p. 278.

‡ City Cartulary of Edinburgh, v. 1. p. 33. 16th November 1482; Golden charter, 15th March 1603.

executive magistrates, they saw their own sentences put into execution. It is not the nature of man, when vested with extravagant authority, not to be guilty of its abuse. By one of their earliest edicts, those who were guilty of hearing mass, or of fornication, were subjected to pillory, burning in the cheek, and banishment from the city; but, for the third * offence, to *death*. By another regulation, they ordained, that young women, who, as daughters of burgesses, were entitled to the freedom of the city, if they did not enjoy an unspotted fame at the time of their marriage, they should forfeit the freedom of the city, both for themselves, and their husbands. By a third, that such young men as having finished their apprenticeship, should marry the daughter of a freeman, should be admitted members of the guild; but if they married the daughter of any other person, or did not marry at all, † they should not be received into that fraternity, till they had undergone an additional servitude of eight years.

They have been in use to erect bodies-corporate within the city with powers of holding property, and of suing, and being sued, a custom which has become so inveterate, as now to be incapable of challenge, or of being eradicated but by an act of the legislature. They have granted monopolies of all sorts. To one, they gave an exclusive privilege of keeping stage coaches, ‡ to run between Edinburgh and Leith; to another, of keeping chaises for hire; to a third, of printing newspapers on certain days of the week; to a fourth, of printing burial letters; to a fifth, of japanning; besides many others.

The Lord Provost of Edinburgh is high sheriff, coroner, and admiral, within the city and liberties, and the town, harbour, and road of Leith; and has a jurisdiction in matters of life and death. He was an officer of the Scottish Parliament, is preses of the convention of royal boroughs, colonel of the trained bands, commander of the city-guard, and of Edinburgh jail. Within the city, he has precedency of all the nobility and great officers of state, upon all occasions, walking on the right hand of the king, or of his majesty's commissioner ||; and has the privilege of having a sword and mace borne before him. The magistrates are justices of the peace, and

* Council Register, v. 3. p. 37. v. 6. p. 9. 180.

† This regulation had properly been suggested to them by conceiving some ridiculous analogy to the story of Jacob and the daughters of Laban, Genesis, c. 29.

‡ Council Register, v. 37, p. 214. v. 39. 10th, 17th August 1709. v. 49. 28th March 1722, v. 66. 20th May 1747.

|| See the ceremony observed at the funeral of a Lord Provost of Edinburgh in Appendix, No. XI.

sheriffs-depute; and the town council are patrons of all the churches in Edinburgh, patrons of the University, and electors of the city's representative in parliament; and have the right of presenting to all offices of trust, honour, or emolument, depending upon the city.

The Lord Provost and magistrates have one or other of them an extensive civil, but still more ample criminal jurisdiction. The courts held by them are, the criminal court, the bailie court, the ten mark court, and the dean of guild court.

Of the Criminal Court of Edinburgh.

Of old the proceedings in the criminal courts of Scotland, even in that of Justiciary, were very irregular, and the records of them indistinctly preserved. This has been, in a peculiar manner, the case with the criminal court of Edinburgh. Sometimes its proceedings were recorded amidst the city's ordinary affairs in the Town Council Register. For the most part, they were not recorded at all. It was only in the end of the last century that a separate book was begun to be kept for the criminal transactions; and, even since that, the proceedings commonly have not been entered, but in trials that inferred a capital punishment. Agreeably to the informality natural to rude times, the judges who sat in this court were various. Sometimes one of the bailies of Edinburgh, with the resident * Bailie, sat in judgment. Sometimes the Lord Provost sat, with assessors appointed by the parliament. But, of late, the most common, and, we apprehend, most approved way of judging, was by the Lord Provost, assisted by the city-assessors †.

The jurisdiction of the Lord Provost of Edinburgh, and of the Bailies, who are considered as his deputies, extends to crimes of whatever nature or magnitude committed within the city or liberties, treason excepted. The words of the charter bestowing this authority upon them are express ‡: 'To be 'judges in all crimes; and to punish offenders or criminals 'by death, banishment, or other punishment, according to 'their several transgressions, and the laws of our kingdom.' The usage has been correspondent. It has been already ob-

* The resident Bailie is a person residing in one of the districts depending on the city. He is no member of the town-council, but is appointed to act within a particular district, as judge-depute of the magistrates.

† See, in Appendix No. XII. a trial, in which it is difficult to say who sat as judges.

‡ Golden charter in archives of the city of Edinburgh, 15th March 1603. Maitland's History, p. 252, 253.

served, that no separate record of the transactions of the Criminal Court of Edinburgh was kept till the end of the last century. In A. D. 1514, a man was tried in this Court for murder, and acquitted. In 1601, a man was tried in Leith before one of the bailies, and the resident bailie, for stealing a quantity of grain, by the means of false keys, and was sentenced to have his hands tied behind his back, to be instantly carried out to Leith roads, and there to be drowned. On the first of April 1689, John Chislie of Dalry * was tried for the murder of Sir George Lockhart, Lord President of the Court of Session, committed on the day before, was put to the torture, to discover his accomplices, by *authority of Parliament* was condemned, and, agreeably to his sentence, was, on the 3d of April, taken to the cross of Edinburgh, his right hand cut off alive, and fixed on the West-port, himself hanged, and his body hung in chains. Trials for murder have also been held before this Court in the years 1690, 1691, 1700, 1702, 1732, and 1733. But, in this last case, the prisoner declined the jurisdiction of the Court, on this head, that he was not apprehended, nor served with an indictment within forty days from the alledged commission of the crime. The Lord Provost sustained the defence of the incompetency of his jurisdiction, in which he appears to have been abundantly scrupulous.

Besides, in the crime of murder, the jurisdiction of this Court has been sustained in the *crimen violati sepulchri*, or that of lifting dead bodies from the grave; in those of theft, house-breaking, using of false keys, forgery, saying of mass, celebrating irregular marriages, *Cursing the House of Hanover*, concealing the discovery of hidden treasure, and of publishing defamatory libels.

Of the Bailie Court.

The Bailie Court is commonly held by one of the four bailies, who sit each of them for three months, for the dispatch of business. In this Court, actions (in which an inhabitant of Edinburgh is defender) are competent, that can be tried before sheriffs-depute, or justices of the peace. Frauds against the city's revenue are commonly tried in this Court. It has

* Council Register, v. 1. p. 6. Inventory to City Cart. v. 2. p. 512. Criminal Register of Edinburgh, 1st April 1689, 6th November 1690, 1st & 12th September 1691, 20th January 1702, 12th January, 19th October 1730, 3d November 1732, 17th August 1733, 12th April 1742, 15th December 1743, 21st January 1754, 16th December 1762. Records of Justiciary, 27th November 1747.

also a power of valuing * and selling ruinous houses within borough, in order that they may be rebuilt, in case the proprietor shall refuse to rebuild or repair them. In difficult cases, the judge consults one of the city's assessors; for the city has always two assessors extraordinary, his majesty's Advocate and Solicitor, and four ordinary assessors, who are members of the Faculty of Advocates.

Of the Ten Mark Court.

The intention of this Court is, that justice should be distributed with dispatch to poor persons, and in trifling causes. It is called the *Ten Mark Court;* because that, or eleven shillings one penny two thirds, is the highest sum for which any action can be brought before it, except those for servants' wages, which may be tried to any amount. This Court, in which one of the bailies is judge, meets once a week. It is hardly admitted for the parties to appear by their procurators. A party condemned to make payment to his antagonist must do it immediately, or go to prison; and the expence of an action is just sixpence.

Of the Dean of Guild Court.

This Court, far from usurping a jurisdiction which did not belong to it, has lost a part of what it was entitled to by law. It was authorised by statute to judge in all causes between merchants, as also, between merchant and mariner. For a long time, however, it has exercised its jurisdiction solely in regulating buildings within borough. In this respect, it is a court of great utility, especially in Edinburgh, where the vast height of the houses, and their being very much crowded upon each other, makes an institution of this sort peculiarly necessary. The business of the Dean of Guild, and his council, is to take care that buildings within the city be carried on according to law; that encroachments be not made upon the public streets; also, to judge between conterminous † proprietors, upon the limits of their respective properties; to consider the state of buildings, whether they be in such condition as to threaten damage to those dwelling in them, or to the neighbourhood; and to grant warrant for repairing, pulling down, or rebuilding them, according to the circumstances of the case.

The Dean of Guild is judge of this Court. He has a coun-

* Erskine's Institutes, p. 62.

† James VI. parl. 13. c. 180. William, parl. 1. sess. 7. c. 8. Council Register, v. 7. p. 162.

cil of five appointed to him, whose opinions he consults; but if it be a matter of such importance, as the ordering a house to be pulled down as ruinous, he does not proceed but upon the verdict of a jury of fifteen men, half merchants, half tradesmen, who are specially called for the purpose.

With some, it has long been a matter of complaint, that the Court of Session is by much too ready to interfere with the decrees of the Dean of Guild. Here it must be observed, that the decrees of the Dean of Guild are of two sorts. They either respect questions between neighbouring proprietors, about the extent of their grounds, or matters of public police; such as removing of nuisances, ordering insufficient houses to be repaired, or pulled down, or granting warrant for rebuilding. The first of these cases is a matter of no public concern; for, it is altogether indifferent to the public, whether such a foot of ground belong to A or to B; and besides, in this case, the two private parties will, from motives of interest, or from litigiousness, be sufficiently ready to lay out their money in a contest before the Court of Session; but, in the other cases, whether an incroachment be made, or suffered to remain upon the streets; whether a work of public utility be stopped in the middle, or whether the houses be suffered to tumble down about the ears of the inhabitants, is surely of public importance; yet here, there is but one private party, the other party is the procurator-fiscal of the Guild Court, who, however much he might be inclined to accommodate the public, by an attention to that part of police which concerns buildings, may not think himself at liberty to squander the public funds of the city, in a contest with a litigious individual. By some it is, therefore held, that, in affairs of this sort, an interdict of the Dean of Guild's judgment ought never to be granted as a matter of course, nor without, at least, a plausible reason appearing upon the face of the application; for instances have been known, that a debate before the Court of Session, about continuing an interdict, has been stopped by information, that the house, which was the subject of debate, had fallen to the ground; and, when gentlemen make their complaints to the magistrates of the quantities of rubbish lying on the streets, they commonly receive for answer, 'That it is out of the magistrates' power to help it, for one of the Lords had granted an interdict.'

* * * * * *

As the town council of Edinburgh are superiors of the Canongate, Portsborough, and Leith, they appoint certain of their own number bailies of these *boroughs of barony* *. They are called the *Baron Bailie of the Canongate*, &c. That for Leith is called *the Admiral of Leith;* because, within that district, he has a jurisdiction in maritime affairs. The baron bailies appoint one or two inhabitants of the respective *baronies* their substitutes; these are called *Resident Bailies.* They hold courts in absence of the baron bailies for discussing civil causes of small moment, and petty offences.

Having described the different courts for the administration of justice, and magistrates for preserving of order, we must observe it, as an happy effect of their vigilance, that, perhaps, in no city of its bulk, are the persons and properties of the inhabitants so free from predatory assaults A street murder is a thing unknown in the memory of man. Robberies are very rare. The last robbery which was committed in Edinburgh, was on the last day of December 1775. Both the criminals were secured on that same night, and they were both made a sacrifice to public justice as quickly as the laws would permit. A person may walk the streets any hour of the night, without dread of disturbance. This security, we apprehend to be chiefly owing to the institution of the city-guard, to the society of *cadies* †, and to the particular attention of the present sheriff-depute of Edinburgh.

* A borough of barony is a corporation erected by the king, consisting of the inhabitants of a certain tract of ground. Sometimes its magistrates are chosen by the inhabitants, sometimes they are named by the superior.

† The Cadies are a fraternity of people who run errands. Individuals must, at their admission, find surety for their good behaviour. They are acquainted with the whole persons and places in Edinburgh; and the moment a stranger comes to town, they get notice of it. The late recruiting business has been of no service to them.

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CHAPTER II.

OF the Military Government, and Political Constitution of Edinburgh—Trained Bands—Town Guard—Town Council —Contests between Merchants and Trades.

IT has been observed, in the first part of this work, that a body of the citizens of Edinburgh, conducted by the Lord Provost and magistrates, accompanied James IV. to the battle of Flowden; and that, after that memorable defeat, the town council appointed the inhabitants to assemble in defence of the city, and to keep watch, *every fourth man to be on duty each night;* and various military transactions of the citizens have been described in the course of our work.

The military corps of Edinburgh are the trained bands and the town guard. The former of these corps appears to have been first established A. D. 1626. At that time, the town council, upon a narrative of the foreign wars then subsisting, and other circumstances *, which, however, do not appear to have been their real motives, resolved, that the citizens should be mustered and divided into eight companies of 200 men each. In the year 1645, it was resolved, that the citizens should be mustered in † sixteen companies, and to that effect the city was divided into as many departments. These are still the boundaries according to which the present companies of trained bands are mustered. Each of the sixteen companies consists of 100 men. The Lord Provost of Edinburgh is their colonel; but their commanding officer in ordinary is known by the title of *Captain Commandant*. Under him there are a lieutenant colonel and major, and in each company a captain, lieutenant, and ensign. In the late Rebellion, the arms provided for the trained bands, and kept in the city's armoury, were carried off. They have never been restored nor replaced. The trained bands are now neither possessed of arms, nor instructed in military discipline; nor do they serve any purpose, but to display a parade upon public processions of the citizens.

Of old, the citizens performed a species of personal service for defence of the town, called *watching and warding*. By this, the trading part of the inhabitants were bound, in person, to keep watch alternately during the night, to prevent or suppress occasional disturbances. In the progress of manners, this personal attendance was found extremely inconvenient; and the

* Council Register, v. 13. p. 324. † Ibid. v. 16. p. 47.

citizens were convinced, that their own ease would be promoted, and the city more effectually protected, by a commutation of their services into money, to be paid by them for maintaining a regular guard.

Conform to this idea, the town council, in A. D. 1648, appointed a body of sixty men to be raised, whereof the captain to have a monthly pay of L.11 : 2 : 3 * Sterling, two lieutenants of L. 2 each, two serjeants of L.1 : 5s, three corporals of L.1, and the private men of 15s. each per month. No regular fund being provided to defray this expence, the old method of *watching and warding* was quickly resumed; but those on whom this service was incumbent, were become so relaxed in their discipline, that the privy council informed the magistrates, if they did not provide a sufficient guard for preserving order in the city, the king's troops would be quartered in it † Upon this, forty men were again (1679) raised as town guard. This body was, in the year 1682, augmented to 108 men, at the instigation of the Duke of York. The appointment of the officers was vested in the king, who was also declared to have a power of marching his corps wherever he thought proper. To defray the expence of this company, the council imposed a tax upon the citizens, and the imposition was ratified by the king.

Upon the Revolution, the town council represented to the estates of parliament, that they had been imposed upon to establish a town guard, and complained of it as a grievance, which they wished to have removed. Their request was granted, and the citizens had recourse once more to *watching and warding*. So speedily, however, did they repent themselves of the change ‡, that the very next year they applied for the authority of parliament to raise, for the defence of the city, a corps of no fewer than 126 men, and to assess the inhabitants for discharging the expence.

Since that period, the number of this corps, which is called *the Town Guard*, has been very fluctuating; for about these thirty years, it has consisted of only 75 private men; and considering the enlarged extent of the city, and the increased number of inhabitants, it ought undoubtedly to be augmented. This, however, cannot be the case, unless new means are devised for defraying the expence, since the cost of maintaining the present Guard exceeds the sum allowed by parliament to be levied from the citizens for that purpose.

The Lord Provost of Edinburgh is Commander of this useful corps. The men are properly disciplined, and fire re-

* Council Register, v. 17. p. 47. † Ibid. v. 29. p. 275. v. 30. p. 126, 136. ‡ Ibid. v. 33. p. 5. 148; William and Mary; Unprinted acts, parl. 1. sess. 2. No. 49.

markably well. Within these two years, some disorderly soldiers, in one of the marching regiments, having conceived an umbrage at the town guard, attacked them. They were double in number to the party of the town guard, who, in the scuffle, severely wounded some of their assailants, and made the whole of them prisoners.

For defraying the expence of this corps, a tax called *watch money*, is levied from those alone of the inhabitants who were liable to *watching and warding*, viz. people in trade. The utmost that by law can be levied for this purpose, is L.1250 Sterling; but, as the actual expence amounts to L.1400, the magistrates are obliged, by other means, to defray the additional charge.

But, although the town guard may quell a nocturnal riot, and defend the inhabitants from street robberies; yet this corps, even in conjunction with the raw undisciplined troops, which of late have been stationed in the Castle, are insufficient for protecting the citizens against the fury of the mob; for, in every stage of her history, the mobs of Edinburgh have been more fierce and turbulent than those of any city with whose annals we are acquainted.

Of the Political Constitution of Edinburgh.

The town-council of Edinburgh are administrators of the public affairs of the city. This body consists of thirty-three persons; but this composes the whole council, *ordinary and extraordinary;* for many of the city's affairs are governed by the *ordinary council* of twenty-five. The town-council is composed of two bodies of men, merchants and tradesmen. Their respective powers are so chequered and interwove, as to preserve a balance between them. Their powers, indeed, and their numbers, have frequently varied; but they now appear to be established beyond the possibility of being altered, but by an act of the legislature. The present town-council of Edinburgh are,

The Right Honourable Walter Hamilton, Esq. Lord Provost
John Wordie, Esq.
William Galloway, Esq.
Donald Smith, Esq.
James Dickson, Esq. } Bailies
John Grieve, Esq. Dean of Guild
Alexander Maxwell, Esq. Treasurer
John Dalrymple, Esq. Old Provost
James Hunter, Esq. Gilbert Mason, Esq.
Thos. Cleghorn, Esq. and Jas. Hotchkis, Esq. } Old Bailies
Charles Innes, Esq. Old Dean of Guild

William Scott, Esq. Old Treasurer
Messrs David Stewart, George Leslie, and Charles Wallace, Merchant Counsellors
Thomas Simpson and George Home, Trades' Counsellors
James Gibson, Robert Clydsdale
William Barclay, James Cunninghame, } Council Deacons
William Cummyng, William Miller,
William Davie, David Stewart,
William Davidson, *Convener** John Bonar, } *Extraor.* Council
Hugh Johnston, Thomas Williamson, } Deacons.
John Craig, Robert Gedd.

The town-council are not elected by suffrage of the householders at large, nor even by that of the burgesses. They are, in part, elected by the members of the fourteen incorporations, and they partly choose their own successors. The merchants have not, as merchants, any vote in electing the town-council; for the whole merchant guild is represented by the merchant members of the town-council for the time being. The grocers, printers, tallow-chandlers, barbers, vintners, and stablers, as such, can neither elect nor be elected.

The election then is made in this manner. First, the fourteen incorporations meet by themselves, and each incorporation makes out a list (or *leet* as it is called) of six persons, out of which the Deacon of each respective incorporation must be chosen. These fourteen lists, or *leets*, are laid before the ordinary council of twenty-five, who strike off three names from the six, and return the list, so abridged, to the different incorporations; and this is termed '*shortening of the leets*.' Out of the *leets* thus shortened, the incorporations choose their respective deacons, who, are then presented to the ordinary council of twenty-five, who, out of the fourteen deacons, choose six of them to be members of the ordinary

* The *Convener* is the head of the trades' companies. His office is of very late creation. *The trades* set it up of themselves; and it first received the sanction of authority from Lord Ilay's decreet, A. D. 1740. He is not officially a member of council. His chief mark of distinction is a gold chain, which he bears about his neck, and appended to it, a medallion, bearing on one side, the figure of justice in *alto relievo*, on the reverse, the arms of the city engraved. A similar emblem is borne by the provost, the four bailies, the dean of guild, and treasurer, only that of the lord provost is distinguished by a double chain. The magistrates, and all the *ordinary* council wear robes upon public occasions; the lord provost, a scarlet robe, with a cap and border of ermine, the magistrates, scarlet robes, with caps of crimson velvet fringed and tasselled, the counsellors black damask gowns, bordered with sables.

council; upon which the six council deacons of the former year walk off.

The next step in the election is the choice of three merchants and two trades' counsellors. This is performed by the ordinary council of twenty-five; but the merchants and trades' counsellors of the former year do not, upon the choice of their successors, immediately withdraw, but vote along with them in the remaining steps of the election. There are then 30 members, who proceed to the next step of the election, which is to make up *leets* out of which the Lord Provost, Dean of Guild, Treasurer, and Bailies, must be chosen. For this purpose, a list is made up of three persons, out of which the Provost must be chosen; one of the same number for that of the Dean of Guild; a third, like the former, for the election of the Treasurer; and a list of twelve, out of which the four Bailies must be chosen; all of which persons, in the *leets* for Provost and magistrates, must be merchants.

The *leets* being made up, these thirty, and joined to them the eight *extraordinary* council deacons, making in all thirty-eight persons, proceed to the choice of the magistrates for the ensuing year.

As the new part of the council, ordinary and extraordinary, is now filled up to this extent,

6 Council Deacons,
3 Merchant Counsellors,
2 Trades' Counsellors, and
8 Extraordinary Council Deacons; in all nineteen,

it remains that fourteen more members be chosen to make up the full council of thirty-three. Of these, the following eleven are chosen on the first Tuesday after Michaelmas.

First, the Lord Provost, either a new person elected into that office, or the present one of course.

4 Bailies.

4 Old Bailies, their offices borne by the four Bailies of the former year of course.

1 The Dean of Guild, either a new person elected, or the present one of course.

1 The Treasurer, either a new person elected, or the present one of course.

Hence, if the three offices of Lord Provost, Dean of Guild, and Treasurer should all happen to be supplied with new persons, instead of eleven vacancies in council being filled up on the day already mentioned, there would be fourteen, which would render the council complete; for the persons who were formerly Provost, Dean of Guild, and Treasurer, would, for the ensuing year, become Old Provost, Old Dean of Guild, and Old Treasurer; but, if no new persons are elected to be Provost, &c. then there are none to fill up the places of Old

Provost, &c. of course; which, therefore, is done either at the next, or some subsequent council meeting, by the ordinary council of twenty-three or twenty-four *.

The constitution of the city of Edinburgh, as now established, has not been fixed till after the violent and repeated struggles of different centuries. Originally, the town-council was composed of the merchants alone. The companies of arts †, or *the trades*, (as they are called,) were merely the objects of their creation, were erected into bodies corporate by act of the town-council, and they afterwards requested to be admitted by their representatives ‡ into the body which bestowed upon them an existence; a privilege they seemed the better entitled to demand, in consequence of their being so far acknowledged by parliament ||, as to be debarred to have a voice in electing the magistrates of boroughs long before those of any of the crafts in Edinburgh were incorporated.

None of the charters, incorporating any of the trades'-companies of Edinburgh, bear an earlier § date than 1475. The first time they craved to be admitted by their representatives into the town-council, was in A. D. 1508. At that time, they requested to have six or eight of their number received into the council, and that they might be declared capable of being elected into the magistracy: but they got this remarkable answer: 'That the council would make no innovation ¶ upon 'the government of the town, without advice of the king and 'parliament.' At what time *the trades* got admission into this body, we cannot ascertain. Their powers, indeed, over all Scotland, seem to have been extremely fluctuating. By a statute of James I. handicraftsmen, in their different branches, were impowered ** to elect a preses, who was called a deacon,
1424. or †† kirk-master. Two years thereafter, the office, as being of general prejudice to the nation, was utterly

* *Twenty-three, or twenty-four;* because it so happens, that a new Provost, new Dean of Guild, and Treasurer, do not come into council in the same year; but a new Provost and Dean of Guild the one year, and new Treasurer the other, alternately.

† The art is here put for those who practise it. We thought proper to adopt the term always used in law and in practice.

‡ Council Register, v. 1. p. 26.

|| James III. parl. 5. c. 30. § Maitland's History, B. 4.

¶ Council Register, v. 1. p. 26. ** James I. parl. 2. c. 39.

†† Probably because he assisted the chaplain in performing certain religious offices. For, those of every occupation had among the saints their respective patrons, in honour of whom they founded altars. The only remains of this superstition is the procession still made by the shoemakers on St Crispin's day. It is curious to observe, that, as saints went out of fashion at the Reformation, Crispin has ever since passed for a king with the Scottish Coblers.

1426. abolished, and the former * meetings of the deacons condemned, as the assemblies of conspirators. It was, however, restored in about thirty years, with respect to the goldsmiths, for the † purpose of inspecting their work, that it
1437. be of standard fineness; and the office soon became general among the different artificers. It was again checked, as being dangerous, and the cause of great ‡ trouble
1493. in boroughs, and deacons were required to confine themselves allenarly to the inspection of the work performed by those of their respective crafts. It was afterwards
1555. entirely abolished, as being || the cause of commotions and unlawful combinations; and the statute abolishing it has never been expressly repealed; yet *the trades*, speedily acquired new power and favour.

At what time the trades first obtained admission into the town-council of Edinburgh, we cannot ascertain. It is certain,
1552. however, that, in A. D. 1552 §, there were two craftsmen in the council, which then consisted of twelve. They appear to have been precisely in the same character with the present trades'-counsellors. Upon the beginning of ¶ the attempts to overthrow the popish, and establish the reformed religion, Mary of Lorraine, the Queen Regent, with a view of obtaining a set of magistrates favourable to her cause, espous-
1559. ed the interest of *the trades*. On the approach of the Michaelmas election 1559, she sent an order to the town-council, requiring ** them to admit the votes of no fewer than eleven deacons of crafts in every step of the election, which, together with the two trades'-counsellors, who were already members of council, would have thrown the election entirely into the hands of *the trades*. This letter was palpably a stretch of arbitrary power. It besides contained a manifest falsehood, that the deacons of crafts formerly had a right
1469. to vote in all steps of borough-elections; whereas, by the statute 1469, (long before that repealed,) it was only provided, that the craftsmen should have a voice in choos-

* James I. parl. 6. c. 86. † James II. parl. 14. c. 65.

‡ James IV. parl. 4. c. 43. || Mary, parl. 6. c. 52.

§ Records of convention of royal boroughs, 4th April, 1552.

¶ In the recent contest between the merchants and *trades*, the author of the ingenious paper for the defendants of the 3d March, 1778, supposes, that the two craftsmen were turned out of council after 1552, were received again in 1556, but even then were not allowed to vote. We can discover no reason for any part of this hypothesis. The author of that paper appears to have been led into the mistake, by confounding together the deacons of the *trades* and the two trades'-counsellors.

** Council Register, v. 3. p. 24.

ing the magistrates. And the letter further alluded to some
1556. restitution of their privileges, which had been made to *the trades* in the year 1556. What the nature was of this act of restitution, or by whom it was passed, we know not; but we are certain that it was illegal; for the office of deacon, and all its privileges, were abolished by parliament the very year preceding. The council behaved with great spirit upon receipt of this order from the regent. They desired the deacons who had presented it to withdraw, till the council had deliberated upon its import; and having called them in again, told them *, 'that the council could yield no obedience to the 'order, for it was contrary to act of parliament.'

The council, however, was not long filled with men of such determined resolution. Twenty years had hardly elapsed, ere *the trades* had got such footing in it, that the mutual contests
1582. of them and the merchants filled the city with tumult; and both parties were fain to court peace, by referring their various claims and differences to the decision of James VI. as umpire between them.

By the decreet-arbitral pronounced by that prince, the po-
April 22, 1583. litical constitution, or *set* of the town, was established upon nearly the same footing which it still retains, notwithstanding the busy struggle which *the trades* have maintained for a period of two hundred years, in order to acquire to themselves an increase and ascendency in power. By this decreet, the town-council was appointed to consist of the same number of persons, merchants, and tradesmen, that it does at present. The only important advantage which *the trades* have acquired by their struggles for power, has been, that, as by the decreet of James VI. the ordinary council of twenty-five, after taking the opinion of the deacons of the different incorporations upon the characters of the members of their respective bodies, made out a list, or *leet*, of three persons in every incorporation, out of which it behoved the different deacons to be chosen. Whereas, now, each incorporation gives in a list, or *leet*, to the town-council, of six, from these the council strike off three, and out of the remaining three the deacon is chosen. It is proper, however, that we should give a short detail of the different contests between the merchants and *trades*, from the date of King James's decreet-arbitral to the present times.

During the life of that prince, neither party could, with any decency, challenge the decree of their sovereign, which they had sworn to observe. The reign of his successor was agitated with too violent contests to admit of the attention of societies being bestowed upon borough-politics. But, no sooner was peace established with the restoration, than the contest

* Council Register, v. 3. p. 24.

between the merchants and *trades* was renewed. The *trades* seem, at that time, to have been not a little puzzled to find out a cause of quarrel; for the chief object * of their complaint was, that the Lord Provost, instead of sitting at the council-board, and giving his suffrage *viva voce*, withdrew, and voted † by proxy. They also claimed a privilege, which was denied to them, that the extraordinary deacons should vote in the election of the baron-bailies. The trades protested against the election of the town-council. The procedure was laid before the lords of privy council, the election sustained, and the conduct of the trades condemned, as dangerous, and tending to sedition.

The next object of contest between the merchants and trades was, that, whereas formerly the town-council presented to each incorporation a list of three, out of which the respective deacons must have been chosen, it was now agreed unanimously by the merchants, as well as ‡ *trades*, that, in future, the incorporations should be entitled, each of them, to send up to council a list of six, from which the council should strike off three, and that out of the remaining three the respective deacons should be chosen. It would seem, that the merchants quickly repented themselves of this concession; for, within six months, the *trades* found it necessary to bring a suit before the Court of Session, for obtaining || a legal sanction to this encroachment. The judges were extremely divided in their opinions; and a judgment was obtained in favour of the *trades* by the majority of one voice.

In this state matters rested till the year 1721, when the trades thought fit to advance additional claims. Among their deacons, one of them had long borne the title of *Convener*; but he now insisted upon being received by the town in that character, to which they made the following answer: 'That 'he was already qualified as deacon, and there was no men-'tion of the office of convener in the set.' The *trades* next demanded, that the extraordinary deacons should be allowed a vote in the chusing of all proxies; and insisted, that no committee could be legally appointed by council, without concurrence of the extraordinary deacons; and that the Convener was officially a member of all committees. These re-

* Council Register, v. 21. p. 53. Records of privy council, No. 1. p. 58.

† In all the steps of election of the town-council of Edinburgh, the whole persons entitled to vote must be present, either personally, or by proxy.

‡ Fountainhall's decisions, v. 1. p. 239. Council Register, 17th October, 1683.

|| Fountainhall, v. 1. p. 275.

peated demands alarmed the merchants, who brought an action before the Court of Session, for having it declared, that the ordinary council had a right to present to each of the different incorporations a list, or *leet*, of three, out of which it behoved the deacon to be chosen, without the council's first receiving from the *trades*, long *leets* of six. The trades, on the other hand, brought an action, for having the decree of A. D. 1654 enforced, and for having ascertained to them the various privileges they claimed. Both parties, however, thought proper to submit their differences to the decision of the Earl of Ilay, afterwards Archibald Duke of Argyle, who, in A. D. 1730, pronounced the decreet-arbitral, which, as explicative of the decree of King James, is the present established political constitution of the city of Edinburgh.

This decree was received with universal satisfaction. All parties concurred in returning to Lord Ilay the most hearty thanks for having composed their differences. But thirty years had hardly elapsed, ere those rights, which formerly had been struggled for by the *trades*, were now affected to be considered by them as intolerable burthens. In their former contest with the merchants, a right was confirmed to the *trades*, in the election of their deacons, of presenting to the council a *long leet* of six, which the latter might shorten to three. But now, the *trades* insisted, that the council should have no right of shortening their *leets;* that the trades should send up no *leets;* but that they should choose their deacons without controul of the merchant members of council, while they themselves had the right of voting in the election of those merchants.

The occasion of this fresh demand by the *trades* was their having conceived an umbrage against the administrators of the city's affairs, for their having exerted a privilege which indeed they ought, upon no occasion, to relinquish, that of supplying the vacant churches by the mode of patronage, and not by popular call. For the *trades* expected, that, by obtaining that alteration in the constitution of the borough, they would be able to turn out those who were then in the government of the city.

An act of council was accordingly passed, for applying to the convention of royal boroughs, for their authority, to abolish the practice of sending up *leets* to the council, and to give the *trades* an uncontrouled power of choosing their deacons. Certain of the merchant members of council applied by bill of suspension to the court, to stop the intended application to the royal boroughs, for these reasons: 'That the 'resolution complained upon was truly not an act of council; 'for that the government of the city is vested in the ordinary 'council of twenty-five, of which thirteen was declared to be

'a quorum; and that there were not thirteen members of 'the ordinary council present when the pretended act was 'passed; that the political constitution of the city was already 'established by decreet-arbitral, and ratified; that the dea-'cons could only be looked upon as parties, and that the ex-'traordinary deacons had no right to vote. And, lastly, that 'it was not in the power of the town-council to make any 'regulation for altering the constitution of the city, nor, in-'deed, in the power of any but the legislature.' Upon this application, the Court granted a temporary interdict of the resolution complained of. But the merits of the cause were not determined; for, upon more mature reflection, the trades did not think proper to follow forth an attempt, which, on their part, appeared palpable usurpation, which, if successful, would have destroyed the balance so carefully poised between the merchants and trades, which would have given a superior influence to the body possessing the least importance, and upon which the convention of royal boroughs seemed destitute of authority to enable them to decide.

1776. From the year 1763 till 1776, the city continued to be peaceably governed, conform to the rules of the constitution. At this time the chief magistrate of the place was a person to whom the citizens gave credit for liberality of ideas, and for taste, judgment, and attention, in conducting the affairs over which he presided. He seems to have anxiously cultivated this favourable opinion of the citizens, with a view of effectuating the overthrow of that political interest to which he was indebted for an introduction into the magistracy, and of modelling a council, which should be entirely coincident with his opinions, or subservient to his views. Before the Michaelmas election 1776, he was confident of a majority, that would enable him to turn out of council those who were adverse to his designs; but he was disappointed in the event.

Instantly clamours were heard over the city, that the *trades* were an injured and oppressed body; that the shortening the *leets* was an intolerable grievance; that they laboured under many other hardships, which, in other words, meaned, that they had in view many other claims which they intended to assert as opportunity should occur; but, in the mean time, they restricted the object of their complaint to the *shortening of the leets*, being advised by their lawyers, '*that it were better not to seek too much at once.*'

Mr Stodart made a motion in council, which was agreed to, 'That application should be made to the convention * of 'royal boroughs, to alter that part of the political constitution 'of Edinburgh, which respected the election of deacons, as

* Council Register, 19th Feb. 19th March 1777.

'to the shortening of the leets; that this practice be abolished, 'and the incorporations have the power of electing their 'respective deacons, without being subject to any restraint 'from the town-council whatever.' To stop this application, the Lord Provost, and majority of the ordinary council, presented a bill of suspension, praying for an interdict. The reasons of suspension chiefly insisted upon were, 'That the 'vote complained upon, of application to the royal boroughs, 'was not an act of council; for it was carried by the help of 'the extraordinary deacons, or *deacons not of the council*; 'and that this was none of the cases specified, in which these 'deacons were declared to have a right to vote; that it was 'incompetent for the town-council to take any step for alter-'ing the constitution of the borough; and that, if such step 'was at all to be taken, it ought to be, not by the town-coun-'cil, who were the representatives, but by their constituents 'the different bodies represented; and that the convention 'of royal boroughs had no power to alter the political consti-'tution of a borough, established as that of Edinburgh.' The cause was ably and keenly argued *; and, after repeated de-'liberations, a perpetual † interdict, in the terms prayed for, was pronounced by an unanimous judgment of the Court.

* See printed papers in the cause, *Dalrymple against Stodart*, dated 27th September, 27th November 1777, and 12th February and 3d March 1778, preserved in the Advocates' Library.

† Decrees of Session, Dalrymple against Stodart, 7th Aug. 1778.

CHAPTER III.

Of the Revenue of the City of Edinburgh.

A CRITICAL inquiry into the revenues of the city of Edinburgh is inconsistent with the nature of this work. It is the province of an accomptant, and a subject for a treatise by itself. As the affairs belonging to, and conducted by public bodies, are, for the most part, very ill managed, so it must likewise be confessed, that idle, ignorant, and discontented people, are ever ready without proof, and often without foundation, to throw the blame of misconduct upon the administrators of public affairs. The management of the affairs of this city, and the criticisms that have been made upon it, afford instances in support of both these positions, but especially of the last.

In former times, the chief instances of misconduct and misapplication of the city's revenues, consisted in the mode of feuing out the city's lands; in the sovereign's arbitrarily exacting money from the town, or obliging her to furnish him with men; in his obliging the city to erect, at a great expence, public national buildings; and in the repeated extortions of Lauderdale, whose example descended through every rank, and infected the city's clerks in his time, to a degree that entitled them also to be held *Prime Ministers in rapacity and avarice.*

Besides that the increased value of land, and diminution in the value of money, makes the old feu contracts between the city and her vassals extremely unfavourable for the former; the administrators of her affairs were frequently in use to dispose of land in feu, for a piece of money, to answer some immediate demand, and a trifling feu-duty payable annually. The purchase money was quickly spent, the feu-duties were inconsiderable, and, in this manner, the city's revenues have been impaired. It must be added, that no doubt an application from a friend, for a bit of land that lay convenient for him, has frequently had influence with the town in procuring it to be sold at an easy price.

In the year 1690, the gross revenue of the city of Edinburgh, without reckoning the duty upon ale, amounted to upwards of L.6,500 Sterling *; although, in that accompt,

* Council Register, v. 33. 26th Nov. 1690. Records of privy council, No. 1. p. 534.

there is only stated a trifle of L.39, as received on account of the shore dues at Leith. In the year 1749, when the rents of lands and houses were greatly increased, when the shore dues were augmented to L 583, when the city had received an aid to her revenue of L.500 a-year out of the twopenny duty, it amounted only to L.6472 : 13s. : 7d *. It is impossible for us to assign any reason for this stagnation, or rather retrogression, in the state of the city's gross revenues.

The revenue of the city of Edinburgh is ranged principally under two classes, *the proper and the appropriated.* In A. D. 1723, when the duty of two-pence Scots on the pint of ale and beer, payable within the city, was extended over the parish of St Cuthberts, the Canongate, and South and North Leith, a list of the city's debts was taken; they amounted to L.78,164 : 3s. : 7d. The magistrates were allowed, by the statute extending the twopenny duty, to borrow a further sum of L.25,000; but prohibited from ever increasing the city's debts more than L.25,000 beyond their then amount. For the whole of these debts, the duty of two pennies on the pint is liable, in the first place (the bonds being signed by the magistrates as administrators of that fund), and the city's other funds are liable *subsidiarie.* This duty was also granted for the purpose of augmenting certain ministers stipends, and professors' salaries, bringing in water, erecting public buildings, and many other purposes to which its extent has proved utterly inadequate. This is the city's appropriated revenue. It amounted, when only exigible within the city,

	A. D.	1690	to	L.4000	0 0
When extended over the parish of St Cuthberts, &c.		1724	to	7939	16 1
		1736		6101	10 8
		1750		† 4758	18 8
		1764		3550	0 0
	And in	1776	to	2197	0 0

Such, to the propagation of idleness, vice, and disease, has been, among the poor, the increased consumption of tea and *whisky.*

The two-penny duty, as has been already observed, was extended over the parish of St Cuthberts, &c. with a view to enable the magistrates to carry on certain public works since completed, as well as many other purposes of general utility, then in contemplation. By the statute of extension, they were

* Authenticated accompts of R. Fleming, Treasurer, 6th April 1750.

† Neat produce.

impowered to borrow a certain sum, and when they saw arising from this duty a noble revenue of L.8000 a year, it was not only allowable in the magistrates, but their duty truly required it of them, to consult the immediate interest of the citizens, by borrowing, upon the faith of this revenue, a sum to enable them to carry on works of immediate and general utility. Much obloquy, however, and unmerited censure, have been thrown upon the administrators for the city, particularly upon that public-spirited and excellent magistrate, George Drummond, Esq. for thus anticipating the city's revenues, as if it had been possible for them to have foreseen, or to have conceived so amazing a decrease, in a duty arising from one of the most necessary articles of life.

The *proper revenue* of the city of Edinburgh consists partly of the duties or taxations exigible by the town-council; such as the impost on wines; the shore dues at Leith; the duties collected at the poultry, fish, meal, and other markets; the annuity, or ministers' stipend; partly of their landed property, such as Leith and Bruntsfield Links, Calton-hill, and Meadows, houses and shops in Edinburgh and Leith; partly of their feu-duties, as those of the mills on the Water of Leith, in the houses in the New Town, &c.; partly of what is paid for private water pipes. The *proper revenue* of the city consists of these, and many other articles. Its gross produce (not reckoning here the appropriated revenue) is at present about L.10,000 Sterling yearly, and a gradual increase of it may be expected.

The city's debts are, at present, almost L.8000 less than they were in the year 1723, being L.70,195 : 2 : 9d. This, however, must, in part, be owing to some of the town's property having since that been sold; such as the estate of Woolmet, for which L.11,000 were received, to some of the leases let by the city being converted into feu-contracts, such as that of the bakers' mills, for which L.2000 were received, &c. Upon the whole, the administration of the city's funds appears of late to have been excellent, more especially when we consider, that the purchases, building of the bridge, making common sewers, paving streets, and other expences incurred, concerning the extended royalty alone, amounted * in September 1778, to L.37,364 : 17 : 9d; and that the gross *proper revenue* of the city is better, by a half, than it was thirty years ago.

The City Treasurer of Edinburgh, who is, *ex officio*, a member of the town-council, is no more than the town's cash keeper. To collect the revenues, and keep a state of them is

* The sum then received by the city, for areas in the New Town, was about £.13,000.

the office of the Chamberlain. As the branches of the city's revenues are various, and many of them consisting of very numerous, but trifling articles, it was found impossible for the Treasurer, during his continuance in office †, to acquire a thorough knowledge of the town's affairs; besides, had he understood them fully, still their multiplicity required a labour and attention, incompatible with the management of a separate business. On these accounts, the town council, in A.D. 1766, appointed an officer, with an adequate salary, whose sole business it should be, to collect, and keep an accurate state of the city's revenues. This officer is called the *City's Chamberlain.* The manner in which her revenues have been managed since the establishment of this officer, justifies the wisdom of the institution, and the propriety of the choice.

† By the constitution of the borough, the Treasurer can continue in office but two consecutive years.

CHAPTER IV.

OF Companies of Arts, Commerce, and Manufactures—Of the Fourteen Incorporations of Edinburgh—Royal College of Surgeons—Corporations of Goldsmiths — Skinners — Furriers—Hammermen—Wrights and Masons—Tailors—Bakers—Butchers—Shoemakers—Weavers—Waukers—Bonnet-Makers—Merchant Company—Bank of Scotland—Royal Bank—British Linen Company—Friendly Insurance Office—Sun Fire Office—Liverpool Office—Post Office—Widows' Scheme.

THE following Corporations have each the right of electing a Deacon, who becomes a member of council, ordinary or extraordinary. They are set down in order according to their precedency.

I. *Of the Royal College of Surgeons.*

The Surgeons and Barbers were erected into a corporation by a seal of cause from the town-council of Edinburgh dated, 1st July 1505. In this seal of cause, or charter, certain rules are prescribed for the good order of this fraternity. King James V. ratified this charter on the 13th of October 1506; and Queen Mary, in consideration of the great attendance required of surgeons upon their patients, granted them an exemption from serving upon juries, and from 'watching and 'warding' within the city of Edinburgh, privileges which were afterwards confirmed * by parliament.

By act of council, 25th February 1657 †, the surgeons and apothecaries were, at their mutual desire, united into one community, which was ratified by parliament. From the time that the arts of surgery and pharmacy were united, the corporation laid aside entirely their business as barbers. This occasioned an act of council of the 26th July 1682, recommending to this corporation to supply the town with a sufficient number of persons qualified to *shave and cut hair;* and who should continue dependant upon the surgeons. But, in the year 1722, the surgeons and barbers were separated from each other in all respects, except that the barbers are still obliged to enter their apprentices in the register kept by the surgeons.

* See an account of the trades and manufactures of Edinburgh, under the article LEITH.

† Maitland's History, B. IV.

By a charter of his present majesty, dated 14th of March 1778, this corporation was erected of new, under the name of '*the Royal College of Surgeons of the city of Edinburgh.*' This charter establishes a scheme of provision for the widows and children of the members. By this scheme, besides certain sums belonging to the Royal College, which are allotted to it, each member is obliged to pay L.5 a-year towards it, during all the days of his life. If he dies before making four yearly payments, neither his widow nor children receive * any supply from the fund; but, if he survives that period, and leaves a widow, she is entitled to L.25 yearly, during her widowhood allenarly. If he dies a widower, leaving children, they are entitled in whole to L.100. The meetings of this company are held in their own hall in the high-school yards.

II. *Of the Goldsmiths.*

The Goldsmiths were originally incorporated with the Hammermen. At what time they were separated from them, and erected into a distinct incorporation, is uncertain. That they were, however, a separate company in A. D. 1581, is undoubted; for in that year, judicious and minute † regulations are prescribed to them by a charter from the town-council, concerning the receiving of apprentices, and the working in gold or silver. By a charter of James VI. all persons not of the corporation, are prohibited from exercising the trade of a goldsmith within the city and liberties of Edinburgh; and, indeed, considering the regulations to which this company is subjected, it were well that this monopoly was rigorously enforced; nay, that over all Scotland, none should be allowed to work, or deal in gold or silver, without having his work subjected to inspection of the assay-master, who has a power of assaying all work performed by the corporation of goldsmiths. For all the work executed by this company undergoes a most accurate and faithful trial, and afterwards is impressed with a public stamp characteristic of its standard fineness; whereas, in Edinburgh, as well as other parts of the country, a set of people, from being pedlars, commence jewellers, and not only sell work, which is not of standard fineness, but also sell plated work and base metal to ignorant people, as genuine silver; frauds, which the multitude of toys from Sheffield and Birmingham enables them the more readily to practise. This corporation has a convenient place of meeting in the Parliament Square, called Goldsmiths' Hall.

* Printed charter of the Royal College of Surgeons, A. D. 1778.
† Maitland's History, B. IV.

III. *Skinners.*

The Skinners were erected into a corporation by the town-council of Edinburgh; but the time is unknown, further than it was on or before the year 1586. Regulations for their good government, and the proper conducting of their manufacture have, from time to time, been made by the town-council of Edinburgh.

IV. *Furriers.*

The Furriers also owe their existence, as a body corporate, to the town-council; the time of their being incorporated is unknown.

V. *Hammermen.*

The Hammermen were erected into a corporation by a seal of cause from the town-council of Edinburgh of the 2d May 1483. This community, at that time, comprehended the following crafts: blacksmiths, goldsmiths, saddlers, cutlers, and armourers. There are now comprehended in it, the blacksmiths, cutlers, sadlers, locksmiths, armourers, pewterers, sheersmiths, watch-makers, gunsmiths, hook-makers, pin-makers, belt-makers, founders, braziers, copper-smiths, and whiteiron-smiths. This corporation meets in their hall in the Cowgate called *the Magdalene Chapel;* because it was originally a chapel dedicated to St Mary Magdalene.

VI. VII. *Wrights and Masons.*

They have a double representation in the town-council; one deacon is annually chosen to represent the wrights, and another the masons. They were incorporated by a seal of cause from the town-council, dated 15th October 1475. The privileges granted to this incorporation have been repeatedly confirmed by royal charter. It is commonly known by the name of 'The United Incorporation of Mary's Chapel.' It consists of the following crafts: wrights, masons, bowyers, glaziers, plummers, upholsterers, painters, slaters, sievewrights, and coopers. This community has, in Niddry's Wynd, a modern hall, for holding their meetings. It is called *Mary's Chapel*, having been originally a chapel dedicated to the Blessed Virgin.

VIII. *Tailors.*

The Tailors, like other craftsmen of Edinburgh, were incorporated by the town-council. They are possessed of several charters from the town-council, which have been ratified by the Scots kings; but the time when they were first incorporated is unknown.

IX. *Bakers.*

A seal of cause from the town-council, in A. D. 1522, in favour of this incorporation, sets forth, that, by their negligence in times of public trouble, the original charter, incorporating them, was lost, or amissing. By this charter, which was granted in its place, it appears, that, as each incorporation had an altar erected in St Giles's church *, and dedicated to its respective patron, or tutelar saint; so the chaplain got his victuals by going about from house to house, among the members of the incorporation alternately.

X. *Fleshers, or Butchers.*

The *Fleshers*, or Butchers, are a very old incorporation. The time of their being incorporated is unknown, further than that † it was previous to A. D. 1488; for, in that year, salutary regulations were prescribed to them by the council, for having the markets supplied with wholesome provisions. By these regulations, it appears, that the butchers dealed in fish, as well as flesh.

The inconvenience, and exceeding nastiness of the market places in Edinburgh, have long been a matter of deserved reproach upon the city. Delicacy of taste, and delicacy of sentiment, must ever be, in a certain degree, concomitant, and have a reciprocal tendency in promoting each other. A person who visits the markets of Edinburgh would do well to lay aside these troublesome feelings. It is with pleasure that we observe the magistrates becoming attentive to those things which are proper for the accommodation of the citizens; and, in particular, to see, that new market places are actually begun to be built. We are satisfied, that no attention nor expence will be spared to render them commodious.

* Charter in possession of the corporation of Bakers.
† Maitland's History, B. 4.

XI. *Cordiners.*

We cannot ascertain the time that this corporation was instituted. Maitland places it in A. D. 1449. But no records of council, of so early a date, are preserved; and none of the corporations of Edinburgh pretend to be of an earlier erection than A. D. 1475. The charter alluded to by Maitland cannot, at present, be recovered; so we must rest with observing, in general, that the Cordiners, or shoemakers, have obtained various seals of cause from the magistrates of Edinburgh, one * of them ratified by James VI. and that they are one of the oldest corporations in Edinburgh.

XII. *Weavers.*

Upon a petition from the weavers, they were incorporated by a seal of cause from, the town-council, dated 31st January 1475. The petition sets forth, that they had framed certain articles 'for the honour and love of God, of his mother the 'Virgin, and of St Sovrane;' and prays a ratification of these articles. Among others, care is taken to enact, 'That the priest shall get his meat.'

XIII. *Wakers.*

The *Wakers* were originally clothiers. Their business now is dwindled down to the milling and scouring of cloths. They appear to have been incorporated by a seal of cause from the town-council, of date the 20th August 1500. The hatters were united with this incorporation A. D. 1672.

XIV. *Bonnet-Makers.*

The Bonnet-makers were erected into a corporation by the town-council in the year 1630. By the fashion of wearing hats, their business failed, and they fell into decay. The dyers were † united with this corporation in the year 1640.

* * * * * *

Of the Merchant Company.

The Merchants of Edinburgh were erected into a body corporate by royal charter, dated 19th October 1681, under

* Maitland's History, p. 305.

† The Candlemakers were incorporated by act of council 5th September 1517; but they have no representation in council.

the name of '*The Company of Merchants of the city of Edin-burgh*' By this charter, they were impowered to chuse a preses, who is called '*the Master of the Merchant Company*,' twelve assistants, a treasurer, clerk, and officer. The Company were further impowered to purchase lands, to make by-laws for their good government, &c. But a salvo is inserted, of the rights of the different incorporations of Edinburgh. The money payable to the funds of this Company was, upon the admission of a member, ten shillings, his yearly quota two shillings, and, by a lad entering apprentice with a member, five shillings The funds arising from these payments were chiefly designed for support of their poor.

As these trifling dues were found insufficient for the purposes intended, the * Company applied to, and obtained a charter from his present majesty, enabling them to levy from every member, upon his admission, six pounds and six shillings annually.

Of the Bank of Scotland.

The Bank of Scotland was erected by act of parliament A. D. 1695. By the statute of erection, this company was impowered to raise a joint stock of L.1,200,000 Scots, or L.100,000 Sterling, for the purpose of carrying on a public bank †. The smallest share which any person could hold in this bank was declared to be L.1000 Scots; and the largest sum for which any one was allowed to subscribe was L.20,000 of the same money. L.8000 are declared to be the qualification necessary to entitle any one to be elected governor, L.6000 deputy-governor, and L.3000 for each director. The management of the affairs of this company was vested in a governor, deputy-governor, and twenty-four directors; and, in chusing these managers, each proprietor was declared to have a vote for every thousand pounds of stock held by him.

The capital, or stock of this company, being found not large enough to answer the purposes of a commercial country, they, in A. D. 1774, applied for, and obtained, an act, enabling them to enlarge ‡ their stock. By this act, they were impowered to double their original stock, or to raise it in whole to L.2,400,000 Scots, or L.200,000 Sterling. Each person already holding shares was allowed to fill up the new capital, to be subscribed for, in so far, and to the same extent, as he already held shares in the original stock. What remained not filled up, was to be sold to the highest bidder, among the pro-

* Royal charter in favour of the Merchant Company, 16th August 1777, in archives of the Company.

† Unprinted acts, 1695. ‡ Geo. III. parl 14. c. 32.

prietors of the old stock, provided no one should possess, in whole, above L.40,000 Scots of stock; and if any still remained unsubscribed for, any one might subscribe that inclined. By the same act, too, the double of the former sums was declared to be requisite, as qualifications entitling the members to be governors or directors of the company, or to be their electors.

Agreeably to the envious policy so frequent among commercial companies and states, when the Royal Bank was erected, that company purchased up all the notes of the Bank of Scotland that they could lay hands on, and made such a run upon this bank, as reduced them to considerable difficulties. To avoid such distresses for the future, the Bank of Scotland, on the 9th of November 1730, began to issue L.5 notes, payable on demand, or L.5 : 2 : 6 six months after their being presented for payment, in the option of the bank. On the 12th of December 1732, they began to issue L.1 notes, with a similar clause. The other banking companies in Scotland found it convenient to follow the example. Bank notes were universally framed with these optional clauses. They were issued for the most trifling sums, and were currently accepted in payment, in so much that notes for five shillings Sterling were perfectly common; and silver was in a manner banished out of the country. To remedy those abuses which had crept into the banking business, an act of parliament was passed, A. D. 1765, prohibiting all promissory-notes, payable to the bearer, under L.1 Sterling; and prohibiting and declaring void all the optional clauses.

Of the Royal Bank of Scotland.

By the articles of Union, Scotland was declared to be liable to the same duties which were levied by way of customs or excise in England. As these duties had, in the latter of these nations, been appropriated for the discharge of debts contracted by England before the Union, it was found reasonable to give Scotland an equivalent for this additional burthen. This sum, given by way of equivalent, was ordained to be paid for certain purposes, and to certain persons, or bodies corporate, mentioned in the articles of Union, and in posterior statutes. The proprietors of these sums, to the extent of L.248,550 Sterling, were erected into a body corporate, under the name of *The Equivalent Company*; and the said sum of L.248,550 was declared to be the joint stock of the Company.

Upon application from this company, they obtained a royal charter, impowering such of them as inclined to subscribe their shares in the joint stock for that purpose, to carry on the business of banking. By this charter, the subscribers to this

banking business were, in A. D. 1727, erected into a body corporate, to be called *The Royal Bank of Scotland.* They were vested with the requisite powers, and the management of the Company's affairs declared to be in a governor, deputy-governor, nine ordinary, and nine extraordinary directors. And the qualifications of these managers were declared to be, that of the governor, to hold stock to the extent of L.2000; of the deputy-governor, of L.1500; of the ordinary directors, of L.1000; and of the extraordinary directors, of L.500. The sum originally subscribed was L.111,000; but, by a charter, passed in favour of the Royal Bank, A. D. 1738, explaining the privileges formerly bestowed upon them, and enabling them to increase their capital, they were impowered to raise their stock to a sum not exceeding, in whole, when joined to their original funds, L.150,000. By the charter of erection of this company, a share of L.300 entitles a proprietor to one vote, one of L.600 to two, of L.1200 to three, and of L.2000 to four; and no proprietor can have more than four votes.

Of the British Linen Company.

The government, as well as many gentlemen of rank and fortune, had exerted themselves to encourage the manufacture of linens in Scotland. To this effect, it was thought, that the erecting of a public company, with powers to raise a capital of L.100,000, and to carry on the linen manufacture, would be conducive. *The British Linen Company* * was accordingly, by royal charter, erected into a body corporate A. D. 1746. By their assistance, this species of manufacture came to flourish through the country, being carried on by private persons, or companies; the British Linen Company still continuing to promote the linen manufacture, by advancing money to those engaged in carrying it on. The effect of their operations on that manufacture appears from its amazing increase since the erection of this company. The linens stamped for sale in Scotland amounted then to five million of yards annually, value L.200,000. They have since increased to 13 or 14 millions, value from 6 to L.700,000.

By the constitutions of this company, its affairs are declared to be under the management of a governor, deputy-governor, and five directors. It is declared a necessary qualification in the governor, that he be possessed of a share in the company's stock, to the amount of L.1000, of the deputy-governor of L.500, and of each director of L.300. A share of L.200 entitles a proprietor to vote in the choice of these ma-

* See an account of the linen trade, B. v.

nagers, of L.500 to two votes, and of L.1000 to four votes; but it is declared that no proprietor shall possess more than four votes.

Of the Friendly Insurance Office.

Several proprietors of houses in Edinburgh, in the year 1720, entered into a contract for insuring each others houses against losses by fire. To this effect, it was agreed among the contractors, that the proprietor of any house in Edinburgh, Canongate, or Leith, who was willing to become a member of this company, should be entitled to have his house perpetually insured against losses by fire, upon his paying a premium of 100 merks Scots upon every L.1000 insured, or, in other words, on payment of a fifteenth part of the value of a subject insured; and this for the mutual relief of himself, and the other proprietors, in case of damage by fire, arising to any of the subjects insured. By this contract, the sums raised, by way of premium for insurance, were declared to be the joint stock of the company, and each proprietor to have a proportional interest in it, according to his share. But this share was declared to be annexed, not to the person of the proprietor, but to the property insured, with which it was always to be transferred.

In A. D. 1727, this company obtained a seal of cause from the town-council of Edinburgh, erecting them into a body corporate, and ratifying the articles of agreement formerly entered into by them, with perpetual succession, and various privileges, which have * since been confirmed by parliament. In particular, the bonds granted for the premiums already mentioned, are declared to be real burdens upon the subjects, for the insurance whereof they were granted without the formality of an infeftment †.

By the good management of the company's affairs, this institution, which is among the earliest of the kind in Britain, was found both to be beneficial to the citizens, and advantageous to the proprietors. Its affairs were carried on according to the original plan, till A. D. 1767. It was then agreed, that no more members should be admitted upon the former plan; and the company finding themselves possessed of a capital sufficient for extending their insurances through Scot-

* George II. an. 1. cap. 22. an. 26. cap. 36.

† Infeftment is a form in the Scots law, in which, by the presenting of earth and stone, as symbols, legal delivery, and possession of any landed property, is made to the person presented with the symbols. Without this ceremony, no person can possess a real right in land.

land, they issued proposals for insuring houses, household furniture, goods, &c. against damage by fire, at the same rates, and according to the same form observed by the Sun Fire Insurance-office of London. It was, at the same time, declared, that the stock and profits arising upon it were to be the sole property of the then company; liable, however, to make good any losses by fire, arising to any person who should insure his effects at their office.

In consequence of extending their insurances upon this enlarged plan, and of their discharging readily and punctually all claims made upon them, the public have given them suitable encouragement. The company's affairs are managed by nine ordinary, and eighteen extraordinary directors. The ordinary directors meet regularly once a month, and occasionally, as the dispatch of business may require. Their meetings are held in the hall, or office, built by the company nigh the Parliament House. Their device is two hands joined, the motto '*Deo Juvante.*'

Of the Sun Fire Office.

This company, for insurance against losses by fire, was instituted at London about A. D. 1706. They were the first company in the island that insured houses and goods out of London. They established a branch at Edinburgh, A. D. 1733, for the convenience of those in Scotland who inclined to insure their subjects at this office. The company insures houses, and other subjects, at the same rates which are required by the Friendly Insurance Office.

Of the Liverpool Office.

A company for insuring against losses by fire was formed at Liverpool on the first of January 1777. They instituted a branch at Edinburgh that same year. They insure subjects at the same rates which are exacted by the offices already mentioned; but with this advantage to the insured, that, in case of accidents, the sufferer's loss is paid without any deduction; whereas, at the other offices, a deduction of three *per cent.* is made upon the value of the goods destroyed.

Of the Post Office.

A post between London and Edinburgh was first established by King Charles I. A. D. 1635. The time allowed for * the performance of the journey was three days, which is full

* Rymer's Fœdera, v. 19. p. 649.

twelve hours quicker than it is performed at present. This must appear still the more expeditious, when we reflect on the vast improvement the post roads have undergone within that period. It would appear, that a post was dispatched from London to Edinburgh respectively once or twice a-week. The rate of postage was, for a single letter, all under eighty miles, 2d. between eighty and a hundred-and-forty, 4d. above a hundred-and-forty, 6d. to Scotland, 8d. double letters, the double.

In the year 1649, the parliament of England voted, that the post should be under their sole power and direction. In 1654, the post was established on a new footing, by an ordinance of Oliver Cromwell. John Manley *, Esq. was appointed Post-Master General, and farmed the revenues of the post-office of Great Britain and Ireland, for which he paid L 10,000 *per annum* †; whereas formerly, it is said the national charge ‡ of maintaining post-masters, amounted annually to L.7000. The rates of postage were, at the same time, lowered; that is to say, for single letters carried eighty miles, or under, as formerly; above eighty, 3d. to or from Scotland, 4d. to or from Ireland, 6d. The post was then required to travel in summer, at the rate of seven, and in winter, at the rate of five miles an hour. By a subsequent regulation of the Protector's, every post-master was appointed to keep a book, and enter in it the || exact time of arrival of the post, and the name of the person who carried the mail, and that it should not be detained at any stage above seven minutes and a half; and the management of the post-office was solely committed to John Thurloe, Esq. principal secretary of state. In A. D. 1656, the parliament of the commonwealth ratified this establishment, and vested the appointment § of the Post-master General, in the Lord Protector and his successors It was again confirmed upon the Restoration, and the revenue of the post-office was bestowed ¶ upon the Duke of York. By a subsequent act in the same reign, this revenue was settled on the Duke of York and his heirs-male; and, upon ** his accession to the throne, it was vested by parliament in him, his heirs, and successors, for ever.

A post between Scotland and Ireland was first established A. D. 1662. The privy council gave Robert Mein, who was

* Dec. ord. and proclam. of Oliver Cromwell, and parl. v. 2. p. 669.

† The post-masters at the different stages, were also vested with an exclusive privilege of keeping post-horses for hire.

‡ Blackstone's commentaries, v. 1. p. 321.

|| Dec. ord. and proc. 21st Aug. 1665.

§ Ibid. 17th Sept. 656.

¶ Car. II. an. 12. c. 35.

** Ibid. an. 15. c. 14. Jac. II. an. 1. c. 12.

Post-master General for Scotland, L.200 Sterling, to enable him to build * a packet-boat, to convey the mail between Port Patrick and Donaghadee. The postage of a letter from Scotland to Ireland, was then 6d. In A. D. 1699, a post was appointed to go between Edinburgh and Aberdeen twice a-week, and between Edinburgh and Inverness once a-week. The rate of postage was declared to be, for every letter carried † forty Scots miles (about sixty English) 2d. and for every twenty miles further, an additional penny. But the post-office in Scotland first received the sanction of parliamentary authority, A. D. 1695. Posts were then appointed over all Scotland, and more than 4d. was not allowed to be taken for a single letter passing between any two parts in that country.

But, although posts were established, such was their mode of travelling, that they hardly deserved the name. For instance, a person set out with the mail from Edinburgh for Aberdeen; he did not travel a stage, and then deliver the mail to another post-boy, but went on to Dundee, where he rested the first night to Montrose, where he staid the second, and, on the third, he arrived at Aberdeen; and, as he passed by Kinghorn, it behoved the tide, and sometimes also the weather, to render the time of his arrival more late and uncertain. In this manner the mail was conveyed thrice a-week between Edinburgh and Aberdeen; but, between most parts of Scotland, a post went only twice, between some only once a-week, and the post-boy travelled on foot. About the year 1750, the mail began to be conveyed from stage to stage, by different post-boys, and fresh horses, to the principal places of Scotland, and by foot runners to the rest.

The communication by post between London and Edinburgh was not much better. Till the 10th of October 1763, when a post was established five times in the week, a post went between these cities but thrice in the week, and travelled in so dilatory a manner, that in winter the letters which were sent from London on Tuesday night, for the most part, were not distributed at Edinburgh till Sunday between sermons. Even in the year 1757, so tediously were these dispatches conveyed, that the mail was upon the road from London to Edinburgh *eighty-seven*, but from Edinburgh to London *a hundred and thirty-one hours*. At that time, upon a representation from the committee of royal boroughs, to the Post-master General, such regulations were fallen upon, that the mail from London to Edinburgh was on the road but *eighty-two*, and from Edinburgh to London but *eighty-five*

* Rec. of P. Council, No. 1. p. 186. 16th Sept. 1662.
† Ibid. No. 2. p. 182. 28th Jan. 1669.

hours. * The post has, since that time, continued to travel, in good weather, at pretty much the same rates. Modes may easily be pointed out for accelerating its journey; but, at present, it were better that the managers of the post-office would correct the unreasonable tardiness of the London post, which began to take place in harvest last, when both the weather and roads were good.

In the reign of Queen Anne, the English statute of Charles II. and Scots one of William, respecting the post-office, were repealed, a general post-office was erected anew for Great Britain †, Ireland, and America, and nearly the same rates of postage were imposed, which take place at present. By this and a posterior statute L.700 were declared to be payable into the Exchequer weekly, out of the first and readiest of the revenues of the post-office; and further one-third of the surplus of the duties arising by this act, over and above what was levied in the year 1710 ‡, by the former act, and the said L.700 weekly, was declared to be in disposal of the parliament for the use of the public.

The privilege of franking letters was claimed by the House of Commons so early ‖ as the regular establishment of the post-office at the Restoration; but it was dropped upon a private assurance from the crown, that this privilege should be allowed. Accordingly a warrant was constantly issued to that effect; but, as this privilege had been greatly abused, an act was passed, retrenching § the latitude formerly exercised in franking, but confirming by authority of parliament such exertion of it as was thought consistent with expediency. This statute was, indeed, highly necessary; for such were the abuses that had crept into the practice of franking, that the amount of franked letters had gradually increased from L.23,600, in the year 1715 to L.170,700, in A. D. 1763. In the year 1765, the postage of letters carried only one stage was reduced in England ¶ from 3d. to 1d. in Scotland from 2d. to 1d.

* These improvements in the department of the post-office were, in a great measure, owing to the unwearied endeavours and attention of George Chalmers, Esq. merchant in Edinburgh.

† An. an. 9. c. 10. George I. an. 3. c. 7.

‡ That is to say, above L.111,461, for that was the gross amount of the post-office revenue, A. D. 1710, and also over and above L.700 weekly.

‖ Blackstone's Com. v. 1. p. 321. § George III. an. 4. c. 24.

¶ George III. an. 5. c. 25.

It has been already observed, that the revenues of the Post-office General of Great Britain amounted

	A. D. 1654 to	L.10,000
They rose	1663 to	21,500
	1674 *	43,000
	1685	65,000
	1688	76,318
	1697	90,505
	1710 †	111,461
Inland office	1715	145,227
Ditto	1744	198,226
Inl. and Foreign do.		235,492
Ditto	1764	432,048

The revenues of the Post-office General, at Edinburgh, amounted

A. D. 1707	to L.1194
1730	5399
1754	8927
1757	10,623
1760	11,942
1774	30,461
1775	31,147
1776	31,103

Of the Trustees' Office.

In A. D. 1727, an act was passed, to enable his majesty ‡ to appoint trustees for overseeing the fisheries and manufactures of Scotland, and applying for their encouragement the sums destined for the improvement of fisheries and manufactures, by the articles of Union, and some latter || statutes. By this act, the king may appoint for these purposes any number of trustees, not exceeding twenty-one; and they have been appointed accordingly.

This institution has been of great advantage to the country. It is in consequence of this establishment, and of the bounties granted upon the exportation of linen, that this valuable branch of manufacture has risen to any importance. The Board of Trustees dispose annually of L.4000, and upwards, in such manner as appears to them most conducive to the improvement of manufactures. They have appointed at Edinburgh a professor, with a handsome salary, for instruct-

* Anderson's Origin of Commerce, v. 2. p. 122. 182. Campbell's Political Survey, v. 2. p. 256.

† Gross produce. ‡ Geo. I. an. 13. c. 25.

|| Geo. I. an. 5. c. 20.

ing, *gratis*, young people of both sexes, in those branches of drawing connected with arts and manufactures. They bestow premiums upon those who produce the best piece of goods in various branches of Scots manufacture; on those who raise the greatest quantity of good flax, &c. They, in the year 1766, opened a hall at Edinburgh (the British Linen Hall), for the custody * and sale of Scots linens, which the owners of the goods may sell either by themselves, or by their factors. For whatever period the goods should remain in the Hall unsold, their respective owners pay nothing to the proprietors of the Hall; but, upon their being sold, 5s. *per cent.* upon the value of the linens sold, is demanded by way of rent for the Hall. As the opening of this Hall was found to be attended with good consequence to the linen manufactures, so in A. D. 1776, the Trustees extended it upon the same terms to the woollen manufactures of Scotland.

Of other Offices in Edinburgh established by Government.

Besides those already mentioned, there are other offices in Edinburgh appointed by government. These have been established for the purposes of collecting taxes, and managing certain branches of the public revenue. They are, the Annexed Estates office, the offices of Excise, Customs, Stamps, Salt duties, Window and House taxes.

Of the Widows' Scheme.

A fund has been established for a provision for the widows and children of the ministers of the Church of Scotland, and of the principals and professors of the universities. This fund is known by the name of *the Widows' Scheme.* A happier institution has rarely been formed in any country, whether we consider the benevolence of the design, the success of the institution, or the admirable solidity of principle upon which it has been constructed. Previous to this institution, ministers' widows were frequently reduced to the abject necessity of asking public charity. They are now supported comfortably and decently. This establishment is entirely owing to the Reverend Dr Alexander Webster, one of the ministers of Edinburgh, who has lived to see an experimental proof of the justness of his own calculations.

* Concerning the linen manufacture of Scotland, and trade of Edinburgh, see *infra* B. 5.

Various projects had been set on foot to provide for the widows and children of presbyterian clergymen. These having proved ineffectual, by reason of their limited nature, or for want of a common rule, and proper authority to enforce it, Dr Webster prepared a scheme, which he laid before the General Assembly A. D. 1742, for establishing, by parliamentary authority, a fund for an annuity to the widow of every minister, and a stock for the children of such as should leave no widow.

These were to be founded on an annual tax, payable out of their benefices, and the interest of a capital, arising from the surplus of the taxes during the earlier years of the scheme, when there would be no great burthen on the fund. As the ministers happening to die soonest would have paid least into the common stock, the provisions of widows and children were to be small at the beginning, and to bear an increasing proportion, conform to the sums subscribed by their husbands and fathers. It was, in particular provided, that if a minister should die before he had paid towards the fund a sum equal to three years annuity, corresponding to the rate to which he was subjected, then there should be deducted from the annuity due to his widow, or stock due to his children, such a sum as, together with the rates paid by him (without computing interest thereon), should be equal to three years of the said annuity. But by the plan, as it was first adopted by the General Assembly, and established by * parliament, these deductions were set aside, and the provisions for the widows and children of such ministers as should die soonest were declared to be as great as those who should live longest. A few years experience, however, demonstrated the impropriety of these variations, and obliged the General Assembly to recur to the Doctor's original plan, to which effect the authority of parliament was again interposed †.

By the plan, as thus established, the provision for the widows and children of clergymen of the established church, and professors in the universities in Scotland, was founded on an annual tax, disposed into four different classes, of L.2 : 12 : 6, L.3 : 18 : 9, L.5 : 5 : 0, and L.6 : 11 : 3, to be paid by contributors out of their respective benefices or salaries, the contributors making choice in which class to arrange themselves. The provision was founded also upon a tax on marriages, equal to one year's rate, and a tax upon vacant stipends of L.3 : 2 : 0 for each half-year. The sums arising from these taxes are appointed to be applied, 1*mo*, For defraying the expence of collection, which must not exceed L.250 *per annum*. 2*do*, For

* Geo. II. an. 17. c. 11. † Geo. II. an. 22. c. 21.

raising a fund, or capital, of L.80,000. *Stio*, For payment of the annuities to widows, and provisions to children, correspondent to the annual rents of their respective husbands and fathers.

By the following table, it appears, that the Doctor's calculations have been founded on an admirable solidity of principle:

TABLE of the DEATHS of MINISTERS, the number of their WIDOWS and CHILDREN, and Amount of their Provision, according to calculation, and according to fact.

	Calculat.	Fact.	Diff.
It was supposed, that thirty of the joint body of ministers and professors would die annually, thence, from the commencement of the scheme, till the 22d November 1777, being 33 years 8 months -	1010	981	29
That they would leave twenty widows annually, thence for the above period -	673	645	28
That six families of children would, without a widow, be left annually, thence -	202	188	14
That four of the conjunct body of ministers and professors would die annually, without leaving either widows or children, thence	135	148	13
That the number of annuitants at Whitsunday 1778 would amount to -	307	305	2
That the medium of their Annuities would be	L.20 : 0 : 0	L.19 : 12 : 0	L.0 : 7 : 6
That the medium of annual rents payable by contributors would be	L.5 : 5 : 0	L.5 : 4 : 2	L.0 : 0 : 10
That the free stock at Martinmas 1778 would be	Calculat.	Fact.	Differ.
	L.71,560 : 12 : 7	L.75,088 : 8 : 9½	L.3527 : 16 : 2½

The capital was limited to L.80,000; because, about the commencement of the scheme, it was supposed, in consequence of the return of presbyteries to certain queries transmitted to them, that the *maximum* of widows, when the greatest number should come on the fund, would not exceed 370, in which case, the interest of a capital of L.80,000, together with

the annual rates, &c. would have been sufficient to answer all the annual burdens; but as it now appears, from the more accurate returns of presbyteries, during a period of thirty years, and new calculations instituted thereon, by Dr Webster, that the number of annuitants will, in all probability, amount to 400 in life at one time, the interest of an additional capital of L.20,000 will be necessary; and, as experience has shown many disadvantages from granting a loan of L.30 to each contributor, the last General Assembly ordered application to be made to parliament, and nominated Dr Webster, their commissioner, to obtain a new statute, setting aside, in future, the loans hitherto granted to contributors, and to allow the surplus of the annual produce to be lent out for a farther raising of the capital, till it shall amount to L.100,000.

CHAPTER V.

OF the Charitable Foundations in Edinburgh—Royal Infirmary—Edinburgh Dispensary—Charity Work-House—Canongate Charity Work-House—Orphan Hospital—Trinity Hospital—Merchant Maiden Hospital—Trades' Maiden Hospital—Heriot's Hospital—Watson's Hospital.

Of the Royal Infirmary.

THE Royal Infirmary is undoubtedly the most noble of the institutions in Edinburgh reared by the hand of charity. Its purpose is to relieve the diseases of those who are oppressed by poverty.

In A. D. 1725 *, the Royal College of Physicians, who had long given advice and medicines *gratis* † to the diseased and indigent, meditated the establishment of an institution, which the state of the poor in Edinburgh rendered so necessary. At that time, a fishing company was dissolved, and the partners were prevailed upon to assign part of their stock to promote this benevolent institution. A subscription, for this purpose, was, at the same time, urged; and application made to the General Assembly, to recommend a subscription in all the parishes within their jurisdiction. The Assembly most readily granted their request, and sent copies of an act to that purpose to the different incumbents It met, however, with so little obedience ‡, that ten out of eleven of the whole established clergy of Scotland utterly disregarded it. The sum of L.2000 being, notwithstanding, procured, the managers opened a small house for reception of the sick poor on the 6th August 1729.

After the good effects of this institution, even when on a very limited scale, had been for some time experienced, the contributors towards it were, by royal charter of the 25th August 1736, erected into a body-corporate. After this charter was granted, the contributions increased to a considerable extent; so that the managers have been enabled

* The History and Statutes of the Royal Infirmary of Edinburgh.

† A full and distinct History of the Royal Infirmary was this year (1778) published in a treatise by itself.

‡ Maitland's History, p. 451.

from time to time to enlarge their scheme, and render it of more general utility. The benevolence and humanity of many individuals have afforded liberal subscriptions. The Earl of Hopetoun, in particular, during the early years of this institution, when * its funds were slender, bestowed upon the Royal Infirmary an annuity of L.400. In the 1750, Dr Archibald Ker of Jamaica bequeathed to this corporation an estate in that Island of upwards of L.200 Sterling a-year. In 1755, the Lords of the Treasury gave to the Infirmary L.8000, which had been destined for support of the invalids; in consequence of which, the managers keep sixty beds constantly in readiness for the reception of sick soldiers. In this year, also, sick servants were begun to be admitted into the Infirmary, a ward having been fitted up for their reception.

But to none has the Royal Infirmary been more indebted than to George Drummond, Esq. who was seven times elected Lord Provost of Edinburgh. As the improvement of the city, and benefit of the community, were ever the objects which he assiduously endeavoured to promote; so this institution was, in a peculiar manner, the object of his public spirited exertions. The managers of the Infirmary have testified their sense of these obligations, by erecting, in their hall, a bust of him, executed by Nollekins, with this inscription, '*George Drummond, to whom this country is indebted for all the benefits which it derives from the Royal Infirmary.*'

In A. D. 1748, the stock of the Royal Infirmary, after paying for the area, building, furniture, &c. amounted to L.5000. In the beginning of the year 1755, it amounted to L.7076, besides the Jamaica estate. In A. D. 1764, to L.23,426. In 1778, to L.27,074.

The house consists of a body and two wings, all of them three full stories high, with an attick one, and garrets. The body of the house is 210 feet long, in the middle, by 36, at the ends, by 24 feet broad. The wings are 70, by 24. The whole is laid out in a judicious and commodious manner. The access to the different floors is by a large stair-case in the centre of the building, so spacious as to admit of sedan chairs being carried up it, and a smaller one in each end. The apartments of the male and female patients are entirely distinct. In them 228 sick people can be accommodated, each in a distinct bed. Besides these, and the apartments for the necessary officers and servants in the house, there are, the managers' room, a consulting room for the physicians or surgeons, a waiting room for the students, and a theatre, where upwards of 200 students may see chirurgical operations. The medical and chirurgical patients are kept in distinct wards; there are

* Lord Hopetoun continued this bounty for 25 years.

wards for female patients undergoing salivation, and cells for mad people. There are also cold and hot baths, for the use of the patients, and others for the citizens at large; and to these the patients in the hospital are never admitted. In the disposition of this whole building, nothing has been more anxiously studied than ventilation.

The Royal Infirmary is attended by two physicians, elected by the managers, who visit their patients daily in presence of the students. The chirurgical wards are attended by all the members of the College of Surgeons, each officiating for the space of a month, in rotation, according to seniority. But, when any one, from want of health, or other circumstances, declines attendance, he is not allowed to officiate by a depute of his own appointment; but the care of the hospital is committed to one of four assistant surgeons, chosen annually by the managers. Under such teachers, the hospital at Edinburgh affords as good opportunities for education in medicine and surgery as any other.

But besides this, from an establishment in some measure peculiar to itself, it enjoys other advantages as a school of medicine. That establishment is the clinical lectures, which have been given there for many years. Two wards are set apart in the hospital for those patients whose cases are the most interesting and singular, the one for men, the other for women. These patients are attended either by one or more of the medical professors in the University, or by any other physicians sufficiently qualified for the office, whom the managers may be pleased to nominate. Here the most minute attention is paid to every circumstance of the diseases during their whole progress; and every industrious student keeps a journal for himself, of the reports taken daily from the mouth of the physician, in which are accurately related all the effects resulting from the use of medicine.

But, besides the knowledge which is thus communicated to the students experimentally and by example, they have farther the advantage of hearing the grounds of this practice afterwards fully illustrated and explained in lectures. In short, it is hardly possible to conceive any plan of medical education better fitted for communicating useful knowledge; besides other advantages from the number of students who attend the hospital, (each of whom pay three guineas annually,) a very considerable fund arises from their fees for defraying the expences of the house.

To add any thing concerning the care and attention which are bestowed upon the patients, would be very superfluous, since, in the following table, there is such an experimental proof of the success with which that care and attention have been blessed.

Account of Patients in the Royal Infirmary at Edinburgh, from 1st January 1762, to 1st January 1776.

In the hospital 1st January 1762	109	
Admitted into it during the years 1762-3-4-5-6-7-8-9	6261	
Total in the hospital from 1st January 1762 to 1st January 1769		6370
Of these there were cured	4394	
Dismissed, relieved	540	
Incurable	108	
Dead	358	
For irregularities	106	
Dismissed by desire, or gone out of their own accord	732	
Remaining in the hospital 1st January 1770	132	
Total of cured, dismissed, &c. &c.		6370

In the hospital 1st January 1770	132	
Admitted that year	1170	
Total		1302
Of these were cured	791	
Dismissed, relieved	188	
Incurable	7	
Dead	57	
For irregularities	29	
Dismissed by desire	91	
Remaining in the hospital 1st January 1771	145	
Total of cured, dismissed, &c.		1302

In the hospital 1st January 1771	145	
Admitted that year	1454	
Total		1599
Of whom there were cured	1071	
Dismissed, relieved	206	
Incurable	12	
Dead	66	
For irregularities	11	
Dismissed by desire	90	
Remaining in the hospital, 1st January 1772	143	
Total		1599

In the hospital January 1st 1772	143	
Admitted	1447	
Total		1590

Of these cured	1078	
Relieved	180	
Incurable	10	
Dead	54	
Dismissed as irregular	11	
Dismissed by desire	84	
Carried on to next year	173	
Total	——	1590.
In the hospital 1st January 1773	173	
Admitted	1709	
Total	——	1882
Of these cured	1392	
Relieved	158	
Incurable	21	
Dead	79	
Dismissed as irregular	5	
Dismissed by desire	39	
Carried on to next year	188	
Total	——	1882
In the hospital 1st January 1774	188	
Admitted	1696	
Total	——	1884
Of these cured	1410	
Relieved	146	
Incurable	8	
Dead	62	
Dismissed as irregular	4	
Dismissed by desire	87	
Carried on to next year	167	
Total	——	1884
In the hospital 1st January 1775	167	
Admitted	1795	
Total	——	1962
Of these cured	1560	
Relieved	101	
Incurable	8	
Dead	61	
Dismissed as irregular	8	
Dismissed by desire	40	
Carried on to next year	184	
Total	——	1962

From this table, it appears, that, from A. D. 1770, to A. D. 1775, *inclusive*, the number of patients admitted annually, at an average, has been 1567, and of deaths 63; so that the pro-

portion of deaths annually, has been nearly as one to twenty-five. But, in the year 1776, there were admitted 1668 patients, of whom there died 57; and in A. D. 1777, there were admitted 1593, of whom their died 52; so that, in these two years, the proportion of dead to surviving patients was nearly as one to twenty-nine. If Dr Price's calculations * and conclusions respecting the city of Edinburgh are just, how fortunate are those of its inhabitants, *who are* † *sick patients in the Royal Infirmary?*

Of the Public Dispensary.

The Public Dispensary of Edinburgh was founded by Dr Duncan, physician there, A. D. 1776. This establishment is also intended for the benefit of those who are at once subjected to poverty and sickness. But, to avoid any interference with the Royal Infirmary, it is entirely confined to those whose diseases are of such a nature, as to render it either unnecessary or improper, that they should be admitted into an hospital.

Patients who are deemed proper objects for this charity, receive advice at the Dispensary from the physicians of that charity, who give regular attendance for that purpose, at a certain hour, four days in the week. A full account of the disease of every patient, taken down in writing by the medical assistant at the Dispensary, is inserted into a register kept for that purpose; and, to the history of the case, there are afterwards subjoined regular reports of the progress of the disease during the course of the patient's attendance at the Dispensary, and of the effects resulting from the medicines which are employed.

From the funds of the Dispensary, the patients who are admitted to the benefits of this charity are supplied with medicine *gratis*; and, as the physicians officiate without any salary, this is almost the only expence attending the charity. It is computed, that, from an annual revenue of L 100, upwards of five hundred patients may be admitted to the benefit of it. But, while a small sum may be thus extensively useful, the Dispensary has farther the advantage of being a charity of such a nature, that it can hardly be abused; for, as the patients receive nothing but medicines previously compounded, these cannot possibly be appropriated to any other purpose but for the recovery of their own health.

* See Book 3. c. 1.

† It must, however, be observed, that, although the patients under acute diseases are never sent out of the house till the disease terminates in recovery or death, still some of the patients may die of other distempers, and in other places, which deaths do not fall within this account.

The annual expence of this institution is defrayed from two sources; from charitable contributions given by the humane and benevolent, and from a small annual fee, exacted under the name of medicine-money, from students of medicine who attend the lectures given by the physicians of the Dispensary, on such singular and important cases as occur.

The utility of this institution, as giving a foundation for medical lectures, must be great. It is universally admitted, that no branch of medical education is better calculated for conveying useful information to students, than proper remarks on diseases, as they occur in practice; and, as the benefits of this charity are entirely confined to particular chronical diseases, the students have here an opportunity of seeing the treatment of cases, which it would even be cruelty to admit into an hospital, and of hearing this practice illustrated and explained. While, therefore, the number of medical students at Edinburgh continues to be as great as it is at present, the fees collected from pupils will probably furnish a sum by which the benefits of this charity may be extended to a considerable number of indigent individuals.

But, as this must always be a precarious and limited source, it is intended, that this charity should be farther supported by voluntary contributions from the inhabitants. Every person subscribing one guinea to the funds of this charity, is entitled to hold the rank of governor for the space of two years after his subscription is paid; and every one subscribing five guineas, becomes a governor for life.

The physicians and other officers to this charity are elected by the governors. Patients recommended by governors, are admitted to the benefits of it, in preference to all others; and every part of the charity is superintended by a committee of governors, who are chosen annually, at a general meeting held for that purpose, on the last Monday of January.

During the first year, upwards of two hundred and twenty patients were admitted to the benefits of it.

Account of Patients treated at the Dispensary at Edinburgh for two years, from 1st November 1776, to 1st November 1778.

	From 1776 to 1777	to 1778
Cured	79	221
Relieved	57	110
* No better	39	137

* Among the patients dismissed from the Dispensary *no better*, are included not only those who are considered by the physicians to be incurable, or who were dismissed at their own desire, but

	From 1776 to 1777	to 1778
Dead	5	3
Remaining under treatment .	42	40
Total supplied with medicine 1st year	222	2d year 511

Of the Charity Work House.

To establish a proper mode for supporting the poor, is a matter of much importance, and * appears to be attended with great difficulty. The nature of our work will not admit a disquisition into this subject; we cannot, however, pass it over in silence.

No legal establishment providing and compelling charity for the poor, has hitherto been put upon a proper footing. Indeed, the moment that compulsion takes place, charitable motives are at an end. The poors laws in England are almost equally pernicious to those who pay, and those who receive the benefit. Upon the wealthy and industrious, they are gross oppression; to the indigent labourer they are enticement to idleness and debauchery; to a set of rapacious managers for the poor, they are alone acceptable; as to them, they are a fund of peculation, gluttony, and drunkenness. This very circumstance, which ought, in a double manner, to render poors-rates odious and abominable, has, in many places, been a motive towards their establishment. The citizens of Edinburgh are often exposed to undue attempts to saddle them with unnecessary impositions. It is rare that many years elapse without a proposal for a new tax upon them, as if the exigencies of the state did not require them to be taxed sufficiently.

At one time, (1758), one class of people proposed to levy 6d. a pound on the whole real rents of Edinburgh, on pretext of the city's being in want of water; but the scheme being defeated by opposition from the inhabitants, means were found to have the city well supplied with water, without laying on the inhabitants a single farthing. At another time, (1773), it was proposed, that, as the sum collected, at a medium, for supporting the Charity Work House, fell short L.94 : 19 : 6d. annually, of the expence of its maintenance, a poors-rate should be imposed of eight *per cent.* on the valued rent of the

likewise all those to whom it was recommended to reside, for some time, at a distance from Edinburgh, or to apply for admission into the Royal Infirmary, as changes which had taken place in their diseases, rendered confinement necessary for their recovery.

* On this subject, see an admirable treatise by Lord Kaimes. Sketches of the History of Man, Book II. sect. 10.

city, which, as its valued rent, without including the Canongate and Leith, exceeds L.40,000 *per annum*, would have amounted to L 3,200 a-year; or, in other words, out of L.3,200 a-year proposed to be levied from the inhabitants, not a two and thirtieth part was necessary. This modest proposal was also defeated by opposition from the inhabitants, who made up the deficiency by a voluntary contribution.

At a period still later, (1775), another class of people proposed a scheme, which had it been to cost nothing, would have almost ruined the property in the ancient and extended royalties; for which destruction of their property, the sufferers were to pay a tax, probably not under L.3000 *per annum*. This scheme being deemed still more incongruous, it was also strenuously opposed, and fell, to rise no more.

A poors-rate would be still the more oppressive in Edinburgh, since, if it was not made general over Scotland, the number of beggars flocking to the place, would probably increase in proportion to the provision made for them. Even charity work-houses are by no means found to be attended with the good consequences which were expected from them.

Setting aside a poors-rate, they are the most uncomfortable for the poor, the most productive of vice, and the most expensive to the public, of any mode of provision invented for support of the indigent. They are the most uncomfortable for the poor, and productive of vice; because they strip the mind alike of every motive to action and source of pleasure. The idle are provided for; and most of the fruits of the industrious goes to the hospital. When people labour under bodily distress, disabling them from work, and, at the same time, are reduced to poverty, almost the only pleasure they can enjoy is from a reciprocal exercise of the social duties and affections. Now, in a charity work-house, these are almost completely eradicated. Farewell friends and family, parents and children. Instead of these, the pauper finds himself in a motely crowd of the profligate and the good. He can no longer gratify these tender feelings, nor reap from them, in return, those kind offices, which his age, his infancy, or his disease, renders so requisite. He breathes the noxious air of an hospital, and, be his appetite keen or weak, be he in health or sickness, the quality or proportion of food allowed him are generally the same. How destructive, in particular, a public hospital is for infants, needs not be pointed out. It is the most expensive to the public; for, notwithstanding all the frugality that is studied, it is found, that the whole persons in the house, young and old, cost, at an average, L.4: 10s. yearly. Now, a journeyman in Edinburgh, unless of the better sort, rarely earn more than L.14 a-year. Suppose him married, and that he has three children; and this surely is no extra-

ordinary case; out of the L.14 must be deducted L.2 for house rent, and public burthens; and from the remaining L.12 his family of five persons, is maintained. That is to say, an industrious man can make shift to live comfortably upon L.2 : 8s. a-year for his family overhead; whereas a public beggar is uncomfortably supported upon L.4 : 10s.

It appears, then, that public hospitals for beggars are an improper institution, and that it were better to maintain them in their own houses. Indeed, we do not think the feelings of compassion are so much extinguished, that there is a necessity for establishing any compulsatory laws for raising a fund for the poor. Few people can see, without pain, a horse or a dog pinched by want, or oppressed by disease, far less a human creature. It is probable, that a sufficient sum would always be got for maintaining the poor, were a voluntary collection made monthly, or oftener at each house, for the poor of the parish, and a list kept of the heads of families, with an account of what each master of a family respectively gives. Or, if that should fail, the mode of allowing the landholders in each parish to impose a tax in their respective bounds, the one half payable by themselves, the other by the tenants and possessors, as directed by act of Charles II. parl. 1. sess. 3. c. 16. is perhaps as proper as any compulsatory mode for their provision that can be devised.

It would appear, that Maitland, in his History of Edinburgh, has given an accurate septenary * account of the number of burials in Bristol down till A. D. 1748. He also gives an account of those in Edinburgh for the same period. By calculating the number of inhabitants in both cities, upon the *data* of burials, and supposing both towns to be equally mortal, he, with every allowance in favour of Bristol, makes the inhabitants of Edinburgh, at that period, to exceed in number those of Bristol by 2436. How much this city may have increased since that period, we know not; the former, we know, has increased vastly †. Anderson, in his Origin of Commerce, makes the number of inhabitants in Bristol in A. D. 1758 to amount to 100,000. This, indeed, he does upon the most vague of all grounds, an anonymous calculation in a periodical paper, and his subsequent perambulation of the streets for two successive days. According to Lord Kaimes, the number of poor in Bristol, about A. D. 1773 ‡, amounted to 10,000. If this fact be well founded, even reckoning the number of its inhabitants upon the largest scale, how important the conclusion? In that city, where heavy poors'-rates are established, a city where wealth abounds, and commerce

* Maitland's History, p. 221. † Anderson, v. 2. p. 422.
‡ Sketches of Man, book 2. sect. 10.

flourishes, the number of poor amounts to 10,000. In Edinburgh, again, where the number of inhabitants is probably not much different, where the provision for the poor is more moderate, and where there are infinitely less wealth and commerce, the number of public poor does not exceed * 1800.

The Charity Work-house of Edinburgh was built A. D. 1743, the expence being defrayed by a voluntary collection made among the different societies and individuals in the place; and the house was opened for reception of the poor that same year at midsummer. The poor are employed in such pieces of labour as they are best fitted for †, and are allowed two-pence out of every shilling they earn. The number of persons maintained in it from 1st January 1777 to 1st January 1778, was,

Of men and women 484.	Out of whom died 52.
Of children ‡180.	Out of whom died 9.

The expence of their maintenance amounted to L.4 : 11 : 7 each, over-head. The expence is paid by a tax of two *per cent.* on the valued rents of the city; by the half of the profits of the Ladies' Assembly Room; by the collections at church doors, and other charitable donations; and by what is got for any labour performed in the house. If there is any deficiency, it is supplied by a voluntary contribution among the citizens.

The government of the house is vested in ninety-six persons, who meet quarterly; but its ordinary affairs are under the direction of fifteen managers, who meet weekly. There are a treasurer, chaplain, surgeon, and other officers.

Of the Canongate Charity Work-house.

The Canongate Charity Work-house, like that of Edinburgh, was built by subscription among the inhabitants. It was opened for the reception of the poor in the year 1761. The number of persons maintained in the house is about 90, and there are besides about 40 out-pensioners; the annual expence is about L.500. This is defrayed chiefly by collections at the church door, and by voluntary contribution, no

* In this number, the boys who are educated in Heriot's Hospital, those in all the other hospitals and poors-houses in Edinburgh and the suburbs, and the poor in North and South Leith, are included.

† The value of the whole work performed by the poor in the Charity Work-house last year, being 664 in number, was L.293 : 2s. 8d.

‡ It is to be observed, that children under two years of age are not kept in the Charity Work-house of Edinburgh, Canongate, or St Cuthberts.

no assessment whatever being laid upon the inhabitants. The management of the house is vested in persons chosen annually from among the public bodies and societies in the Canongate. The managers have weekly and quarterly meetings; and, in general, the business and the funds of this hospital are conducted with attention, and administrated with fidelity. The number of persons maintained in the house, at a medium, in A. D. 1777, was,

	Of men and women 62.	Out of whom died 7.
	Of children 36.	Out of whom died 1.
In 1778.	Of men and women 60.	Out of whom died 3.
	Of children 36.	Out of whom died 2.

Of the West Kirk Poors-House.

The West Kirk poors-house was built A. D. 1761, and opened for the reception of the poor on the 27th May 1762. Like those of Edinburgh and the Canongate, this house also was built by voluntary contribution. The expences of the house are defrayed partly by the collections at the church doors, by voluntary donations made to the house, and by an assessment on the real property within the parish. The poor in this house are maintained at a smaller expence than those in the Edinburgh and Canongate Charity work-houses, the average expence of each person in the house being only L.4 : 1 : 6 yearly. The number of persons maintained in it, at a medium, for four years preceding May 1778, was, besides out-pensioners,

Of men and women 105.	Out of whom died 18.
Of children 53.	Out of whom died 3.

Of the Orphan Hospital.

An hospital for maintaining and educating orphans was planned by Andrew Gardiner, merchant, and other inhabitants of Edinburgh, A. D. 1732. The plan was countenanced by the Society for propagating Christian Knowledge, and other societies and individuals; and it was assisted by a liberal subscription, and by collection at the church doors. In November * 1733, the managers of this charitable institution hired a house, took in 30 orphans, maintained them, and instructed them in reading and writing, and in the weaving business. In the year 1735, they were erected into a body-corporate, by the town-council of Edinburgh. In A. D. 1742, they obtained a charter of erection from his late majesty, appointing most of the great officers of state in Scotland, and

* Maitland's History, p. 464.

the heads of the different societies in Edinburgh, members of this corporation, with powers to them to hold real property, to the amount of L.1000 a-year. The revenue of this hospital is very inconsiderable. It is chiefly supported by benefactions from charitable persons, and a proportion of the sums collected at the church doors. Its benefits are not confined to the citizens of Edinburgh; but orphans from any quarter of the kingdom are received in it. None, however, are admitted into it under seven years of age, nor continued in it after they are fourteen. At that time of life, the managers are seldom at a loss to dispose of them, the young folks generally choosing to follow trades; and the public entertaining so good an opinion of the manner in which they have been brought up, that manufacturers and others are very ready to take them into employment. There are about one hundred orphans maintained in this hospital.

Of the Trinity Hospital.

The Trinity College Church and Hospital were founded by Mary of Gueldres, consort of James II. and amply endowed. At the reformation, this institution suffered the fate common to other popish establishments *; it was despoiled of its revenues. The Regent Murray, however, bestowed them on Sir Simon Preston, provost of Edinburgh, who generously gave them to the citizens for the use of the poor. Their right to this property, however, was not complete till A. D. 1585, when the town-council purchased from Robert Pont, then provost of Trinity College, his interest in these subjects; and the whole transaction was afterwards ratified by James VI.

The old hospital † being in a ruinous condition, part of the buildings formerly occupied by the provost and prebends was fitted up for the reception of the poor. It was destined for the support of decayed burgesses of Edinburgh, their wives, and unmarried children, not under fifty years of age. Five men, and two women, were admitted into it; and the number gradually increasing, amounted, A. D. 1700, to fifty-four persons. It was found, however, that the funds of the hospital could not then support so many; and the number of persons maintained in it has frequently varied. At present, there are maintained within the hospital 40 men and women; and there are besides 26 out-pensioners. The latter have L.6 a-year; the former are maintained in a very comfortable manner. Each person has a convenient room. The men are each of them allowed, of clothes, a hat, a pair of breeches, a pair of shoes, a pair of stockings, two shirts, and two neck-

* See Book II. c. 3. † Maitland's History, p. 480.

cloths, yearly; and every other year a coat and waistcoat. The women have yearly a pair of shoes, a pair of stockings, two shifts, and every other year a gown and petticoat. For buying petty necessaries, the men are allowed eight shillings and eight-pence, the women, six and six-pence, yearly. Of food, each person has daily allowance of twelve ounces of household bread; and of ale, the men, of a Scots pint each, the women, of two-thirds of a pint. For breakfast, they have oat-meal porridge; and for dinner, four days in the week, broth, and boiled meat, two days, roasted meat, and each Monday, in lieu of flesh, the men are allowed two-pence, the women, three half-pence a-piece. The fleshes allowed them are beef, mutton, or lamb, the most reasonable in their prices. There is also a small library for their amusement.

This institution appears to be so much calculated, not barely for the subsistence, but also for the comfort of the indigent persons, for whose relief it is intended, that it must be allowed to wear a truly beneficent aspect. Yet, the behaviour of the persons maintained in this hospital, although they are a class above the vulgar, and are so comfortably subsisted, supports the argument against maintaining the poor in a congregate body, and public poors-house. The quarrels and riots among them were so frequent, the selling the victuals allowed them, and applying the price to improper purposes*, and their nasty way of living, (to which the poor people in Scotland are exceedingly addicted), as aroused very lately the attention of the governors, endeavouring to correct these abuses. Indeed, the mob seems a monster so little affected by reason, and so powerfully influenced by religion, that frequent ablutions ought to be inculcated, as a part of the Christian, as it has been of the Jewish and Mahometan religions; and to this, the ceremony of baptism, in the Christian dispensation, seems particularly to point. The public have viewed this institution in so favourable a light, that it has been enriched by many pious donations, especially from the citizens of Edinburgh. The present funds of the hospital are, a real estate in lands and houses, of gross rent of L.762 a-year, and L.5500 lent out in bonds at 4 per cent. Its expences from 1st November 1777 to 1st November 1778, public burthens included, were L.894. The town-council of Edinburgh, ordinary and extraordinary, are governors of this hospital.

Of the Merchants' Maiden Hospital.

This charitable foundation was established in the end of the last century, by voluntary contribution, to which the com-

* Council Register, 29th July 1778.

pany of merchants in Edinburgh, and Mrs Mary Erskine, a widow gentlewoman, lent particular assistance. It is destined for the education and maintenance of * of young girls, daughters of the merchant burgesses of Edinburgh. The governors were erected into a body-corporate † by act of parliament, A. D. 1707. At present, 70 girls are maintained in this hospital. Its gross annual revenue is no less than L.1350; yet the girls, upon leaving the house, (except a few who get L.8 : 6 : 8d), receive only L.3 : 6 : 8d out of the hospital's funds; but the profits arising from work done in the house are also divided among the girls, in proportion to their industry.

Of the Trades' Maiden Hospital.

The Incorporations of Edinburgh, excited by the good example of the Company of Merchants, became desirous to establish, for the daughters of decayed members, an institution similar to that just mentioned. A contribution was accordingly made among the different companies of artificers in Edinburgh, and an hospital fitted up about the year 1704, destined for the education and support of decayed trades'-burgesses of Edinburgh. This establishment was ratified in parliament, by an act similar to that incorporating the governors ‡ of the Merchant Maiden Hospital; and Mrs Mary Erskine, the beneficent foundress of the Merchant Maiden Hospital, extended her charity in so liberal a manner, to that destined for the daughters of tradesmen, that its governors voted her *joint foundress* of this hospital also, and gave other testimonies of gratitude for her bounty. Fifty girls are maintained in this house. They pay of entry-money, when admitted into it, L.1 : 13 : 4d; and, when they leave it, they receive a bounty of L. 5 : 11 : 1½d. The present revenues of the Hospital amount to about L. 600 a-year.

Of Heriot's Hospital.

GEORGE HERIOT, the founder of this hospital, was a goldsmith in Edinburgh. He bore his father's name, and followed his occupation. It appears from his contract of marriage with the daughter of a merchant in Edinburgh, 14th January 1586, that the provision settled on him by his father, joined by the dowry he got with his wife, amounted in all to L.214 : 11 : 8d. Sterling. In the year 1597, he was appointed goldsmith to Anne of Denmark, James VI.'s Queen; and soon after he was

* Maitland's History, p. 460. † An. parl. i. sess. 4.; Unprinted acts. ‡ Ibid.

appointed goldsmith and jeweller to the king. Upon his Majesty's accession to the throne of England, Heriot followed his master to London. Being a widower, he came to Edinburgh, and in A. D. 1608, took a second wife, with whom he got a dowry of about L.333. He returned to London, survived his second wife also, and died there on the 12th February 1624, without leaving any lawful children.

Of what wealth Heriot died possessed is uncertain, but probably it was not under L.50,000. He left legacies to two natural daughters, and to his other relations and friends, to a great amount. The residue of his estate he left to the town-council ordinary, and the ministers of Edinburgh, in trust, for building and endowing an hospital for the maintenance and education of indigent children, the sons of burgesses of that city. The town-council and ministers employed Sir John Hay of Baro, afterwards clerk-register, to settle accompts with Heriot's executors in England. By the accompt settled between Sir John Hay, and the governors of this hospital, 12th May 1627, and since approven of by * decree of the Court of Session, the sum received by the governors, after deducting legacies, bad debts, and compositions for debts resting by the crown, amounted precisely to twenty-three thousand six hundred † and twenty-five pounds ten shillings and threepence-halfpenny Sterling.

The governors began to raise the magnificent fabric called *Heriot's Hospital*, in July 1628, according to a plan of Inigo Jones, as is reported, and adopted, by Walter Balcanqual, Doctor of Divinity, one of the persons whom Heriot appointed to superintend the execution of his latter will. The national disturbances which arose A. D. 1639, for some time interrupted the work; but it was renewed A. D. 1642, and finished in the year 1650, at an expence of upwards of L.30,000 Sterling ‡; and Cromwell having taken possession of Edinburgh, after the battle of Dunbar, quartered his sick and wounded

* Extracted decree of the Court of Session, Alexander Brown and others, against the governors of Heriot's Hospital, 20th November 1766.

† Where Maitland had collected his most erroneous account of George Heriot's effects, we know not. First he makes the stock with which Heriot set up trade, to be L.143 : 1 : 0 Sterling, instead of L.214 : 11 : 8. This proceeded from his not adverting to the change in weight in nominal pounds. He then makes the sum received out of Heriot's effects, by the governors of the hospital, to be L.43,608 : 11 : 3, being almost the double of what they really got. This last blunder has been the cause of many unjust murmurings against the magistrates of Edinburgh, and even been the means of spiriting up law-suits against them.

‡ It is to be observed that money then bore L.10 *per cent.* interest

soldiers in the hospital. To this purpose, the hospital continued to be applied till A. D. 1658, at which time General Monk, commander of the English forces, at the request of the governors of the hospital, and upon their offering to accommodate the soldiers elsewhere, removed them from the hospital. It was opened for the reception of the sons of burgesses, and 30 boys admitted into it, on the 11th April 1659. In August thereafter, they were increased to forty, and in the 1661, to fifty-two. In A. D. 1753, the number of boys was raised to a hundred and thirty; in 1768, to a hundred and forty, but the present number of boys maintained in it is a hundred and ten.

Nothing can be more groundless and calumnious than that charge of mismanagement and embezzlement of the hospital's revenues, so frequently thrown out against its managers; a charge suggested, partly by Maitland's blunder already mentioned, but chiefly made use of as a popular topic for scandalizing the magistrates of Edinburgh, when any political job makes it expedient to spread such calumnies. It has been already observed, that the original funds left by Heriot for building and endowing an hospital, amounted to L.23,625 : 10 : $3\frac{1}{2}$, and that the building of the hospital cost upwards of L.30,000. Now the hospital is at present possessed of a real estate of about L.1800 a-year. The amount of its revenues is, indeed, fluctuating, as the rents are paid in grain. In A. D. 1776, the revenues of the hospital amounted to L.1966. When Bailie Carmichael, the present treasurer, was appointed to that office, the hospital had incurred arrears to the extent of L.3000. These are now all paid off, and the hospital is even possessed of some money lent out upon interest; besides, the apprentice fees were raised in the year 1770, from L.16 : 13 : 4, to L.20; and, in 1775, they were augmented to L.30; so that there are now about L.400 a-year of the hospital's funds paid in prentice-fees, with lads who go out from the hospital to pursue their respective employments; besides what is paid in sums of L.10 yearly, for four years, to those lads who prefer a course of academical learning.

In this hospital, the boys are instructed in reading, writing, arithmetic, and the Latin tongue. Their appearance is decent, their manners are generally void of reproach. The state, both of the boys and of the funds belonging to the hospital, is chiefly to be attributed to the truly paternal care and attention which are bestowed upon its affairs by Mr Carmichael the treasurer.

A set of statutes, for the government of this hospital, was compiled by Walter Balcanqual already mentioned.

Of Watson's Hospital.

This charitable foundation is also instituted for the maintenance and education of the offspring of decayed merchants; for boys, the children or grand-children of decayed merchants in Edinburgh. The founder, George Watson, was himself desended from progenitors who had long been merchants in that city; but his father died so poor, that young Watson was indebted for his education to the benevolence of his aunt. He served an apprenticeship to a merchant; but, when it was finished, he did not himself set up in trade, probably owing to his want of stock. He went to Holland, where he improved himself as an accomptant; and, upon his return in the year 1676, he entered into the service of Sir James Dick, a merchant, and afterwards Lord Provost of Edinburgh, as his clerk. Upon the erection of the Bank of Scotland, A. D. 1695, Watson left Sir James Dick's service, being appointed accomptant to the bank. He was afterwards appointed receiver of the duty upon ale, payable to the city, and treasurer to the Merchants' Maiden Hospital, and to the Society for Propagating Christian Knowledge. In the course of these occupations, he made a fortune of L.12,000. This, upon his death, which happened in April 1723, he bequeathed towards endowing an hospital for the purposes already mentioned.

Certain merchants, and one of the ministers of Edinburgh, are governors of this hospital. They did not begin to raise a building for the reception of boys, till the year 1738, at which time, the sum left by Watson had, by being lent out upon interest, amounted to L.20,000. The governors purchased seven acres and a half of the land belonging to Heriot's Hospital, for which they became bound to pay a yearly feu-duty of L.19 : 12 : 9, and double that sum every twenty-fifth year. In June 1741, twelve boys were admitted into it; the number was gradully increased. In three years it amounted to thirty. At present, double that number of boys are maintained and educated in the hospital. These, as well as those in Heriot's, have becoming attention paid to them. Upon their being put out apprentices, there is paid with them L.20 of prentice-fee; or, if they choose to go to the College, they are allowed L.10 yearly for five years; and, upon their attaining to twenty-five years of age, if the lads have behaved properly, and not contracted marriage, without consent from the governors, they receive a bounty of L.50.

The funds of this hospital are vested in the Merchant Company of Edinburgh, for behalf of the hospital. These, at present, amount to about L.1700 *per annum*.

* * * * * *

There is still another charitable benefaction, which, though less ostentatiously displayed, is, perhaps, on account of the piety of the motives, as well as wisdom of the design, not less to be applauded. In the year 1741, Captain William Horn bequeathed to the magistrates of Edinburgh L.3500, the interest whereof * to be given on Christmas day, to the labouring poor of the parishes of St Giles, St Cuthberts and Libberton, who, by inclemency of the season, cannot work. This money the donor appointed to be bestowed in sums not above L.5 to the largest family, and not below L.2 : 10 : 0 to the smallest.

* Maitland's History, p. 484.

BOOK FIFTH.

CHAPTER I.

OF the Town of Leith—King's-work—South Leith Church—Chapel of Ease—Episcopal Chapel—Harbour—Trade—Tonnage of Shipping—Imports and Exports—Manufactures—Ropes and Sail-cloth—Green Glass—Soap and Candles—Sugar—Broad Cloth—Linen Manufacture—Silk Gauze—Leather—Coaches, their Introduction and Manufacture—Sedan Chairs—Printing and Paper-making—Copper and Tin-plate Workers, and Blacksmiths—Manufacture of Bricks—Sal Ammoniack—Corporations of Leith—Police—North Leith.

LEITH is the Port of Edinburgh. It appears anciently to have gone by the name of Inverleith. The harbour of Leith was granted to the community of Edinburgh by a charter from King Robert I. A. D. 1329; but the banks of the harbour, or river, belonged to Logan of Restalrig, from whom * the citizens were under a necessity to purchase the bank, or waste piece of ground between the houses and river, for the purpose of wharfs, for the conveniency of shipping; neither, it seems, could they keep shops for the sale of bread, wine, and other mercantile commodities, nor erect granaries for the preserving of corn, till these privileges were purchased from the superior of the ground.

It is obvious, that the situation of Leith, upon the immediate banks of the Forth, is more commodious for trade than that of Edinburgh, at the distance of two miles from the river. Of this, the inhabitants of the latter were so sensible, that they have fallen upon various expedients to restrain those dwelling in Leith from carrying on trade. To exclude them utterly from every branch of commerce, the citizens of Edinburgh purchased from Logan of Restalrig, the superior and

* Maitland's History, p. 485.

exclusive privilege of carrying on every species of traffic in Leith; of keeping warehouses there, and inns for the reception and entertainment of strangers; and to complete their oppression, the town-council of * Edinburgh, A. D. 1483, prohibited, under severe penalties, the citizens of Edinburgh from taking into partnership any inhabitant of Leith.

The people of this oppressed town obtained favour with Mary of Lorraine, Queen Regent, who resided frequently among them; and, after they had purchased from Logan, at the price of L.3000 Scots, the superiority of their town, it was erected into a borough of barony by the Queen Regent, who promised to erect it into a royal † borough; but, upon her death, Francis and Mary, in violation of the private rights of the people of Leith, sold the superiority of their town to the community of Edinburgh, to whom it has since been confirmed by grants from successive sovereigns.

Upon the breaking out of the disturbances at the Reformation, the Queen Regent perceived the importance of the town and harbour of Leith, as affording a ready inlet to French troops, and she caused the whole town to be fortified. It was, accordingly, surrounded with a wall strengthened with eight bastions; but this wall went no farther east than the street now called Bernard's-nook. Indeed, beyond that there were no houses, and it would ‡ appear, the land beyond it, presently occupied by the Timber Bush, and the row of houses between that and the harbour, has since been gained from the sea, as a house on the precise situation of the present Weigh-house, is described even in A. D. 1623, to be bounded on the east "*Littoris marini arena.*"

It has been already observed, that upon the commencement of the civil wars, in the || reign of Charles I. a fortification was erected at Leith by the Covenanters. Cromwell built a strong garrison at the Citadel, of which, although a strong gate, with portcullices be still remaining, it was mostly pulled down by § authority of government upon the Restoration.

In the north-east corner of the town of Leith, according to its former boundaries, on the spot where the Weigh-house presently stands, there was, of old, a spacious building, which appears to have been a royal residence. It suffered in the general devastation which the English, under the Earl of Hertford, spread over the banks of the Forth.

The remains of this building, which was called the King's-

* Council Reg. v. 1. p. 19, 20. † Maitland's Hist. p. 486, 487.

‡ Charters under the great seal, B. 50. 26th April 1623. General Register Office, Edinburgh.

|| B. I. c. 3. § Records of Privy Council, No. 1. p. 9.

work, with a garden, and piece of waste land that surrounded it, was erected into a free barony by James VI. and bestowed upon Bernard Lindsay of Lochill, groom of the chamber, or *chamber chield* (as he was called), to that prince. This Lindsay repaired or rebuilt the King's-work; and there is special mention of his having put its *ancient tower* in full repair. He also built there a new tennis-court, which is mentioned with singular marks of approbation in the royal charter, 'as being 'built for the recreation * of his majesty, and of foreigners of 'rank resorting to the kingdom, to whom it afforded great 'satisfaction and delight, and as advancing the politeness, 'and contributing to the ornament of the country, to which, 'by its happy situation on the shore of Leith, where there 'was so great a concourse of strangers and foreigners, it was 'peculiarly adapted.' This fabric, which was reared for the sports and recreations of a court, was speedily to be the scene of the ignoble labours of carmen and porters, engaged in the drudgery of weighing of hemp and of iron. But the street which bounds the ancient tennis-court, converted into a weigh-house, still wears the name of the founder, from whom it is called *Bernard's-nook*.

Leith, as has been already observed, was a part of the estate of Logan of Restalrig, a wealthy and turbulent baron, whose dark intrigues were finally the cause of forfeiting all his possessions. It lay also within the parish of Restalrig, whose church was ordered by the General Assembly, A. D. 1650, to be pulled † down, as a monument of idolatry. It was a consequence of this zealous mandate, that the inhabitants of Leith wanted a parish church for fifty years. During that period, they resorted, for worship, to a large and beautiful chapel, already built, and dedicated to St Mary, which is now distinguished by the name of *South Leith Church*. This place of worship was, in ‡ the year 1609, declared, by authority of parliament, to be the parish church of the district. This is one of the largest, most handsome, and clean kept, of the presbyterian churches we remember to have seen. Two clergymen officiate in it; the senior is appointed by the crown; his stipend is about L.150 a-year; the junior is chosen by the kirk-session and incorporations.

As the parish church was not sufficient to accommodate the increasing number of inhabitants, it was proposed by

* The *reddendum* in this charter was uncommon. It was to keep one of the cellars in the *King's-work* in repair, for holding wines and other provisions for his majesty's use. Charters under the great seal, *ut sup.*

† Book of Universal Kirk, p. 3.

‡ Unprinted Acts, James VI. parl. 20. No. 5.

some of the parishioners A D 1772, to erect and endow, at their own expence, a chapel of ease, which was to be on the establishment with the Church of Scotland. Ground was purchased, and a chapel built accordingly, at the expence of near L.1700. Its dimensions are 72 feet by 52, within walls; and it can accommodate upwards of 1500 people. To defray the expence, no more than a sum between L.200 and L.300 was raised by subscription among the inhabitants; therefore, in order to discharging the debt, no minister was appointed to the chapel for two years. As a congregation was formed, and public worship celebrated, during that period, the produce of the seat rents reduced the debt, in November 1775, when the present clergyman was settled, to L.1100. Mr Burnside was elected minister at the time already mentioned, by the unanimous suffrage of the congregation. His salary, which is paid out of the seat rents, amounts to L.110; but, upon the debts affecting the chapel being extinguished, it is to be made equal to those of the ministers of Edinburgh. The debts are now reduced to L.800. The collections at the door of the chapel are, at present, applied partly to extinguishing its debts, partly towards the support of the poor belonging to the congregation, or parish. The minister is chosen from among preachers licensed by the Church of Scotland, with which this congregation, in all respects, holds communion.

Besides these, there is an Episcopal Congregation at Leith. After the late Rebellion, when the persecution was set on foot against those of the Episcopal communion in Scotland who did not take all the oaths and formulas prescribed by law, the Episcopal meeting-house at Leith was shut up by the sheriff of the county. Persons of this persuasion being thus deprived of the form of worship their principles approved, brought from the neighbouring country Mr John Paul, an English clergyman, who opened this chapel on 23d June 1749. It is called St James's Chapel. Till of late, the congregation only rented it; but, within these few years, they purchased it for L.200. The clergyman has about L.60 a-year of salary, an organist, of 10 guineas. These are paid out of the seat rents, collections, and a voluntary contribution among the hearers. It is perhaps needless to add, that there are one or more meeting-houses for sectaries in this place; for, in Scotland, there are few towns, whether of importance or insignificant, whether populous or otherwise, where there are not congregations of sectaries.

But it is to the harbour that Leith, and we may add Edinburgh also, chiefly owe their importance. This harbour is formed by the conflux of the river Leith with the sea. The depth of the water at the mouth of the harbour is, at neap

tides, about nine, but in high spring tides, about sixteen feet. It was observed, in an early part of our work, that the town-council of Edinburgh, in the beginning of the present century, improved the harbour at an enormous expence, by extending a stone pier a considerable way into the sea. In A. D. 1753 *, an act was passed, for enlarging and deepening the harbour of Leith; but, as no adequate means were provided by the statute for defraying the expence, nothing was done in consequence. Yet a plan was soon afterwards formed, for enlarging the harbour upon still a greater scale; for making a canal from it through Bernard's-nook to the Glass House, and from thence westwards, a basin. To carry these expensive projects into execution, a bill was framed, by which an additional duty, from a penny to sixpence a ton, was to be laid upon the tonnage of all shipping in the harbour. But the scheme was dropped, in consequence of a vigorous opposition. In the year 1777, the town council of Edinburgh considerably improved the harbour, by erecting an additional stone quay towards its west side. Upwards of 100 ships can lie conveniently in this port. It is accommodated with wet and dry docks, and other conveniences for ship-building, which is there carried on to some extent, as vessels come to Leith to be repaired from the different quarters of the east coast of Scotland.

As we were desirous to bring the trade of Edinburgh under one view, we shall treat, in this chapter both of the shipping of Leith, and of the manufacturers of Leith and Edinburgh.

We had no other means of giving an adequate idea of the trade and navigation of Leith, than by laying before the reader the tonnage of shipping at that port, a list of the articles of commerce, and the average quantity of staple commodities imported or exported. To have annexed the quantity to each of export and import, would probably have afforded the reader greater satisfaction. He would have been satisfied, however, *at the expence of deception.* The articles of export and import between Leith and foreign parts are so very fluctuating, one year being so considerable, and perhaps the next so trifling, that, to have specified the quantities in any one or two years, would only have led to false conclusions. And to have exhibited a table of exports and imports for such a number of years as to have enabled the reader to make a just inference, would have swelled to a bulk unsuitable to the nature of this work. We have therefore, thought it more eligible to present the reader with a list of the articles of export and import, adding the average quantities of staple commodities. From this list, from an account of the tonnage of shipping,

* Geo. II. an. 27. c. 8.

and from a note of the amount of duties on certain articles collected at the port of Leith, it is submitted to the reader to judge of the extent of its trade and navigation.

An ACCOUNT of the Number of SHIPS and VESSELS that were of, or belonging to the Port of LEITH, their Tonnage, and Number of Men that traded to or from foreign parts; also, the like Account of Coasting and Fishing Vessels for the year, ending 5th January 1778, reckoning each Vessel but once a year.

Foreign Trade.			*Coasting and Fishing Trades.*		
Number of Ships.	Number of Tons.	Number of Men.	Number of Ships.	Number of Tons.	Number of Men.
*52.	6800.	428.	44.	3346.	281.

ACCOUNT of IMPORTS and EXPORTS between Leith and Foreign parts.

Account of Imports.

From Denmark.

Oats, Pease, Barley } Considerable quantities when the port is open.

Butter, Cheese, Old iron, Scull iron } Small quantities.

From Norway.

Deals, about 15 thousand annually
Battens
Spars
Handspikes
Oak spokes, for cart-wheels
Harrow bills
Hasel cutts
Fir timber
Middle balks
Small balks
Pailing boards
Wood hoops, for coopers
Oak knees for ships
Tar, last year 3000 barrels
Oak timber
Bar iron
Oars
Tree nails
Stock fish
Barley
Sieve rims

From Sweden.

Bar iron, about 400 tons annually

* It is to be observed, that, besides the vessels belonging to Leith, there are employed in the trade ships belonging to other ports in the Firth, and to the north of England, to the amount of about one fourth of the tonnage of the Leith vessels. And that ships in the London trade make, at an average, seven voyages up, and as many down, every two years.

Deals, about 10,000 annually
Battens
Tar, last year 600 barrels
Barrel staves
Handspikes
Spars
Pailing boards
Fir timber
Oats
Barley

From Russia.

Bar iron, about 600 tons annually
Deals, last year 35 thousand
Battens, ditto, 12 ditto
Fir timber
Flax, about 250 tons annually
Hemp
Cordelia
Tallow, last year 200 tons
Hogs' bristles
Matts
Wheat
Oats
Barley
Ships' masts
Spars
Sieve rims
Feather beds
Oak timber
Linens of different kinds, a considerable quantity
Flax seed, about 1000 barrels annually
Cordage
Elks' hair
Old iron
Furs
Knees of oak for ships
Handspikes
Neats tongues
Isinglass
Indigo
Rosin
Tar, last year 1100 barrels
Tallow candles
Hard soap
Pearl ashes
Sail cloth
Pailing boards

Prussia.

Fir timber, last year 1200 loads
Deals
Battens
Pipe and barrel staves
Wheat
Oats
Barley
Pease
Pearl ashes
Flax
Hemp
Bar iron
Scull iron
Old iron
Ships' masts
Linen yarn
Weed ashes
Pot ashes
Ox and cow hides
Calve skins

From Poland.

Weed ashes
Pearl ashes and pot ashes
Oak plank, last year 115 loads
Oak timber
Clap boards
Barrel and Kilderkin staves
Pipe and hogshead staves
Saltpetre
Honey
Spruce beer
Hogs' bristles
Wheat
Deals
Feathers for beds
Tree nails
Linens
Linen yarn

Linen rags
Ox and cow hides
Calve skins
Beech and elm timber
Oats
Barley
Pease

From Germany.

Oak timber, last year 116 loads
Oak plank, ditto, 37 loads
Oak bark
Linen rags
Wheat
Oats
Barley
Beans and pease
Apples
Linen yarn, last year 116 tons weight
Oak knees for ships
Earthen ware
Pearl ashes
Smalts
Rhenish wine
Vinegar
Pipe, hogshead, and barrel staves
Firkin staves
Chesnuts
Madder
Tanned leather, last year 11,000 pounds
Seal skins
Mineral waters
Beech timber
Calf pelts
Horse hides
Matts
Flax seed
Bar iron
Linens
Wood hoops
Wooden clocks
Tree nails
Carraway seeds
Juniper berries
Drugs

From Holland.

Flax, about 350 tons annually
Flax seed, about 500 hogsheads annually
Madder
Clover seed
Matts
Wood hoops for coopers
Linen yarn, last year 11,330 pounds weight
Old iron
Butter and cheese
Cinnamon
Unbound books
Garden seeds
Tanned leather
Wheat
Oats
Barley
Pease and beans
Pearl ashes
Smalts
Wainscoats
Rhenish wine
Oak bark
Iron nails
Cork
Bridges thread
Incle
Wood ashes
Galley tiles
Writing paper
Wooden clocks
Tarras
Oakum
Saccharum Saturni
White lead
Mineral waters
Flower roots
Burrs for millstones
Goose quills
Succus liquoritiæ
Onions

Hard soap
Linen rags
Oak timber
Goats' skins
Red lead
Apples
Vinegar

From France.

Wine
Walnuts
Chesnuts
Prunes
Cork
Brandy
Pickles
Apples
Olives
Succads
Capers
Anchovies
Dried plumbs
Almond
Salt
Rosin
Vinegar
Verdigrease

From Spain.

Wine and oil
Grapes
Figs
Almonds
Raisins
Lemons and oranges
Salt
Cork
Brandy
Jesuits bark
Cow hides
Reeds
Lemon juice
Drugs
Rosin and turpentine

From Portugal.

Wine and oil
Raisins
Cork
Salt
Lemons and oranges
Figs
Reeds
Onions
Sumack
Drugs
Succads
Rosin

From Guernsey.

French, Spanish, and Portugal wines
Rosin
Cork
Apples and pears
Brandy
Chesnuts and walnuts
Pickles
Capers
Olives
Anchovies
Cows
Cyder
Prunes

From Ireland.

Butter

From Gibraltar.

Spanish wine
Portugal wine

From Italy.

Drugs
Levant wine
Currants
Sallad oil
Rough and polished marble
Gum arabic
Cheese
Anchovies
Brimstone

From Sicily.

Salt

From North America,

(Before the differences with that country)

Rice
Indigo
Tar, pitch, and turpentine
Pine plank
Lignum vitæ
Barrel and hogshead staves
Ox and cow hides
Deer skins
Otter and raccoon skins
Logwood
Mahogany
Fir plank
Sago powder
Muscovado sugar
Rum

From West Indies.

Rum
Muscovado sugar
Indigo
Cotton, wool
Cow hides
Mahogany
Logwood and fustick
Coffee berries
Succads
Pimento

Account of Exports from Leith.

To Denmark.

Coals
Rod iron
Fire grates
Thread stockings

To Norway.

Lead
Earthen ware
Strong beer
Glass bottles
Tow
Printed linen
Printed paper
Tanned leather
Hardware
Woollen drapery
Bricks
Wheat-flour
Small coals
Malt
Haberdashery

To Sweden.

Hard-ware
Woollen drapery
Cotton stuffs
Velverets
Worsted hose
Silk stuffs
Porter
Stone-ware
Lead
Tanned leather

To Russia.

Coaches and chariots, with braces and harness
Silk stuffs
Household furniture
Saddlery ware
Coals
Spanish salt
Strong beer
Glass bottles

Checquered linen furniture
Diaper
Velvets
Worsted stockings
Printed linen handkerchiefs
Fine linen
Clocks
Haberdashery
Hard-ware
Oil of vitriol
Sal amoniac
Wine

To Poland.

Coaches and chariots, with braces and harness
Silk stuffs
Alum
Worsted stockings
Rum
Herrings
Mahogany furniture
Stone-ware
Hats
Small coals

To Germany.

Household furniture
Glass bottles
Porter and strong beer
Oil of vitriol
Earthen ware
Millinery ware
Rum
Coals
Sail cloth
Lead
Carpeting
Worsted stockings

To Holland.

Lead, in 1776, 1650 tons
in 1777, 1500 tons
Salmon
Porter and strong beer
Carpeting
Coals
Oil of vitriol
Spanish and French wine, a small quantity
Steel
Rod iron
Velveret
Rum
Silk stuffs
Woollen cloth
Earthen ware
Fire grates
Saddlery

To France.

Coaches and chaises, with braces and harness. A few

To Spain.

Linens and damasks
Strong beer and porter
Iron hoops
Small coals
Sail cloth
Tarred cordage
Wheat
Wheat-flour
Stone-ware
Small beer
Deals and cuts of deals
Barley
Glass bottles
Silk gauze

To Portugal.

Glass bottles
Strong beer
Packing mats
Sail cloth
Barley and bigg
Wheat
Wheat-flour
Iron hoops
Pipe staves

Dried cod-fish
Small coals

To Gibraltar.

Coals and bricks
Linens
Glass bottles
Household furniture
Beer and porter
Iron hoops

To Guernsey.

Coals
Glass bottles

To Ireland.

Porter and strong beer
Barrel staves
Glass bottles
Biscuit

To North America.

(Before the differences with that country.)
Linens, great quantities
Household furniture
Wearing apparel
Writing paper
Printing and brown paper
Books
Haberdashery
Stone-ware
Porter and strong beer
Saddlery ware
Worsted hose
Thread ditto
Sewing thread
Wrought iron
Hats
Coals
Spades, scythes, and corn-hooks
Waggon wheels
Window glass
Cordage and sail cloth
Bricks
Shoes
Carpeting
Lawns and gauzes
Printed linen handkerchiefs
Mens' shirts
Clocks
French, Spanish, and Portugal wines
Glass bottles

To the West Indies.

Linens
Herrings
Household furniture
Wood hoops for coopers
Coals and bricks
French, Spanish, and Portugal wines
Negroes' clothing
Hats
Shoes
Saddlery ware
Thread hose
Sewing thread
Sugar boilers
Nails
Strong beer and porter
Haberdashery
Smiths and joiners tools
Ploughs and furniture
Yetlin pots
Blistered steel
Iron crows
Mule harness
Fish oil
Medicines
Chaises with harness
Sail cloth and cordage
Lime and lime stones
Linen handkerchiefs
Wearing apparel
Wheat, flour, and bread
Woollen drapery
Ling fish
Hulled barley
Oats, pease, and beans

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Horses	Stationary ware
Writing paper	Ships' anchors
Books	Cast iron work
Blanketing	Window sashes
Iron hoops	Cutlery ware

In this account, not only are there no articles of the coasting-trade included; but, in fact, many of foreign export and import are not comprehended in it. For instance, certain articles of the manufacture of Edinburgh are sent from the port of Leith to London, and thence exported; these fall to be comprehended in the Custom-house books, not of Leith, but of London. And, *vice versa*, many foreign articles used in Edinburgh, are not imported directly to Leith, but to London, whence they are brought by the London fleet to Leith, and consequently are entered in the Custom-house books of the former of these ports.

Account of the duty paid for Wine imported at Leith, for five years preceding 5th January 1778.

From	5th Jan.	1773,	to	5th Jan.	1774	L.12,871	15	3
From	ditto	1774,	to	ditto	1775	25,277	12	2
From	ditto	1775,	to	ditto	1776	21,108	3	1
From	ditto	1776,	to	ditto	1777	16,646	16	9
From	ditto	1777,	to	ditto	1778	22,706	8	5

In the trade of Leith, the exportation of oysters deserves to be considered. This article began to be exported for the London market in the year 1773. From their beds in the Forth, they are taken to the Medway, and other rivers not distant from London, where they are deposited to fatten for the consumption of the great metropolis. But this trade is carried on with as much avidity for gain, as a profuse heir exerts in pursuit of pleasure; and both with a similar tendency, the destruction of the capital, which should afford them a continuance of their respective sources of pleasure. The quantity of oysters exported, has each year grown less, and the price has advanced proportionably. The first year, the oysters were sold at 4s. *per* barrel. The price has risen gradually, and now amounts to 6s. In A. D. 1778, 8400 barrels were exported, which, at 6s. *per* barrel, amounts to L.2520. Thus it appears, if the oyster-banks on the Forth are not dragged more sparingly, this commodity will be speedily exhausted.

It is a necessary consequence of the shipping, that there should be a considerable demand for ropes, sail-cloth, and cordage. There are three different companies who carry on

these branches of manufacture, besides some private manufacturers who deal very inconsiderably. The first of these companies, was established in the beginning of this century; and, about twelve years ago, made, perhaps, larger dividends among the partners, than any trading or manufacturing company in the nation. The three companies at present employ 150 weavers, flax-dressers, and spinners of rope-yarn, 60 rope makers, and 450 spinners of flax.

A manufactory of green glass was established at the citadel of Leith, in the middle of the last century. Choppin bottles were sold at 4s. 6d. *per* dozen, and other bottles in proportion. Soon afterwards, this article was begun to be manufactured in North Leith, where choppin bottles were sold A. D. 1707, at 2s. 6d. *per* dozen, and so proportionably *. The present *bottle-house company* was established A. D. 1746. They began work in the bottle-house at North Leith; but, it being burned down during the first year of the partnership, the company, in the year 1747, built a new brick-house on the sands of South Leith, and, the demand for bottles increasing, they built an additional one A. D. 1764. This company is in a flourishing situation. They employ men and boys to the number of 80, besides managers, clerks, &c. The annual expence of carrying on both houses, including the duty payable to government, is between L.8000 and L.9000 a-year. The duty on common bottles, by 19th Geo. II. c. 12. is L.0 2 4 *per cwt.*

17. by George III. 0 1 2

or 8s. ¼d. *per* dozen L.0 3 6 *per cwt.*

Account of Glass manufactured at Leith for two years.

		Quantity of	Duty on
From July 5. 1776, to ditto 1777	*cwt.*	12,138¾	L.1416 3 9
From 1777, to 1778		15,883¾	2779 11 4¼

The branches of manufactures in Leith, next in importance to those already mentioned, are those of soap and candles. These were instituted by William St Clair of Roslin, a gentleman, in whom the happy faculties were united, of a talent for business, and inclination for pleasure. The manufacture of soft soap was erected by Mr St Clair, and some merchants, A. D. 1750; that of tallow candles by the same, in the year 1770; and that of hard soap by David Neilson, also in the year 1770.

* Edinburgh Courant, No 237.

Account of Soap and Candles manufactured at Edinburgh and Leith for two years.

		Quantity.	Duty.		
Soap from July 5.	1776, to do. 1777,	510,739 *lib.*	L.3190	4	10½
from do.	1777, to do. 1778,	492,904	3080	13	0
Candles from do.	1776, to do. 1777,	337,755½	1407	6	3½
Do. from do.	1777, to do. 1778,	318,111½	1325	9	3

Of these articles, three-fourths of the candles are made at Edinburgh, and five-sixths of the soap are made at Leith.

There is hardly any branch of manufacture, which, in speculation, affords a more undoubted success to the manufacturer, and more general benefit to the country, than the baking or refining of sugars; and we will venture to say, that it has been owing alone to the want of capital and conduct in its managers, that it has not hitherto been attended with remarkable success. Were this manufacture properly conducted, a trade might be established between the West Indies, and the east coast of Scotland. Sugars might be afforded to the consumer at an easier rate; the planter and manufacturer might carry on an advantageous species of traffic, and a great sum of money might be saved to the country, which is annually remitted to London for baked sugars.

There are four sugar-houses on the east coast of Scotland, at Edinburgh, Leith, Dundee, and Aberdeen. These, at present, are mostly supplied from Glasgow. Now, supposing every house to use 500 hogsheads annually, these, amounting to 2000 hogsheads, with the usual proportions of rum, cotton, coffee, mahogany, &c. would make cargoes for ten or twelve sail of good ships; and these might return with cargoes of linen, negroes' clothing, and the various other articles for which there is a demand in the West Indies. Leith is the most centrical port for carrying on such trade. Vessels can be fitted out there easier than from the Clyde, and greatly lower than from London. Thus a saving would be made on the article of freight; other charges would be likewise more moderate than either in the Clyde or at London; and the sugars when landed, would be worth from four to five *per cent.* more to the sugar-houses, than if landed either at Greenock or London. This, added to the savings on freight and charges, would amount to a valuable consideration to the West India planter, and should, no doubt, encourage him to make consignments to the port of Leith.

A house for baking of sugars was set up in Edinburgh, A. D. 1751, and the manufacture is still carried on by the company who instituted it. That of Leith was begun in the

year 1757, by a company, consisting mostly of bankers in Edinburgh; but in five years their capital was totally lost. For some time the sugar-house remained unoccupied, till some gentlemen from England took a lease of the subject, and revived the manufacture; but, as these wanted capital altogether, and were consequently obliged to fall upon ruinous schemes for supporting a fictitious credit, they were speedily involved in destruction. To them succeeded the Messrs Parkers, who kept up the manufacture above five years. The house was then purchased by a set of merchants in Leith, who, as they began with a sufficient capital, as they have employed in the work the best refiners of sugar that could be procured in London, and who, as they pay due attention to the business, promise to conduct it with every prospect of success.

Beside the branches of manufacture already noticed, cards for combing wool are made in Leith, to a considerable extent; and the ship carpenters and coopers want not a brisk employment. A cud-bear manufacture was lately carried on there by the Messrs Gordons of Leith, in company with Messrs William Alexander and Sons of Edinburgh; but, in consequence of disagreement among the partners, and their affairs falling into disorder, it is now dropped.

About 14,000 stones of wool are annually exported from Leith to England. There were, besides, 22,000 stone of wool sold in the Weigh-house of Edinburgh, A. D. 1777, of which, but a small part, indeed, is manufactured in that city. Edinburgh was formerly one of the greatest wool markets in Britain. A considerable quantity of woollen goods has always been manufactured there, especially before the Union. The occupations of a dyer and wool-comber, branches of the woollen manufacture, formerly flourished in Edinburgh. Now they are almost entirely sunk, the wool that is there made into stuffs and shaloons being mostly commissioned from England ready combed. But the woollen manufacture now promises to revive. Bailie M'Dowal employs about a hundred hands in making broad cloth, the most of which is superfine. It is esteemed equal in quality to any brought from England, and the demand for it is daily increasing. Wool and oil can be imported from Spain into Leith at rather less expence than into London. There is, besides, in the broad cloth manufacture at Edinburgh, when compared with those of the principal manufacturing towns in England, a saving of a double land-carriage of a hundred miles; first, of the Spanish wool, &c. from London to the manufacturing towns, to be made into stuff; and, secondly, of the cloths from their respective places of manufacture to the London market. On these accounts, it is probable, that the woollen manufacture

may become the staple trade of the Lothians, instead of vast sums being annually remitted for that article to England. But, however, like all infant productions, whether in the animal, vegetable, or commercial worlds, for a while it will stand in need of encouragement. When we behold the royal patterns of virtue dressed on a birth-day, entirely in English manufactures, we consider them as reproaching, with silent dignity, those who do not encourage such of their country's manufactures, as can satisfy the ordinary purposes of life.

In the woollen branch, too, blankets, carpets, and stockings wrought on frames, are made at Edinburgh; and premiums are given by the Board of Trustees to those who produce the best specimens of their work, in the different articles of the woollen manufacture.

But, *the linen manufacture* forms the great staple article of the trade of Scotland. It affords an experimental proof of the important and salutary consequences resulting to trade and manufactures, from attention and encouragement being bestowed upon them by the legislature, and by persons of rank and opulence.

Till the year 1727, the linen manufactures of Scotland were altogether inconsiderable. The petty dealers in this article, instead of endeavouring to procure an extensive sale by the quality of their goods, grasped at an immediate profit, by those frauds which were not obvious to detection, but which, in the end, were to ruin their reputation and their trade. By a statute of George I. frauds in the culture and preparation * of flax, and in manufacturing of linens, are anxiously guarded against. By the same statute, the king was authorised to appoint any number of persons residing in Scotland, not exceeding 21, trustees for directing and improving the linen and hempen manufactures. These trustees bestowed, and still continue to bestow, premiums for the best specimens of work, in the different branches of the linen, as well as of some other manufactures. A parliamentary bounty of three-halfpence per yard, was soon afterwards granted upon the exportation of coarse British and Irish linens. The British Linen Company, whose institution, A. D. 1746, and the beneficial effects resulting from it, have already been mentioned, introduced and improved the manufacture and bleaching of various fabrics of linen, formerly unknown in Scotland. Yet these are now equal, or superior in quality, to those of the same species which come from abroad; and the prices have, at the same time, been reduced from L.10 to L.15 *per cent.* For the further benefit of those concerned in the linen manufacture, the trustees, A. D. 1766, opened a hall at Edinburgh for the

* Geo. I. an. 13. c. 26. Geo. II. an. 24. c. 44.

reception and sale of linen goods. The keeper of the hall is appointed by the trustees. He is neither allowed to buy nor sell goods. His business is to receive linens and yarns from the manufacturers and dealers through Scotland, to each of whom he gives receipts for the goods they lodge, and these receipts may be used as a fund of credit. The goods may be sold by the holders of these receipts; but they frequently employ Mr George Goldie, merchant, Edinburgh, as their factor, who makes annually very considerable sales of linen, as the assortment, quality, and prices of the goods are acceptable to the merchant.

In this manner the linen manufactures of Scotland have increased as follows:

Specimen of the Quantity of LINEN Stamped for Sale in *SCOTLAND*, from 1st November 1727, to 1st November 1778.

Years.	Yards.	Value.
1727 to 1728,	2,183,978	£.103,312
1746 7,	6,661,788	262,866
1756 7,	9,764,408	401,511
1765 6,	13,242,557	637,346
1775 6,	13,571,948	638,873
1776 7,	14,793,888	710,633
1777 8,	13,264,401	592,023

But, notwithstanding the vast increase of the manufacture of linens in a period of fifty years, this trade is by no means in that flourishing condition which, at first sight, one would be apt to conceive. The prodigious load of public taxes makes the necessary expences of life higher in Britain than in any other European nation. This, joined to some other circumstances, enables foreign nations to afford linens at a cheaper rate, though not of superior quality, than can be done in Britain. To obviate the consequences arising from these taxes, certain duties have been imposed on foreign linens, when *imported* into Britain; (for there is no prohibition, as in the case of woollen goods of all kinds.) But, when these *foreign linens are re-exported, these duties are drawn back. To counterbalance this draw-back, a bounty is given on the exportation of British and Irish linens.* It happens, however, (one would think whimsically), that this bounty is confined to brown and white linens only; and *printed linens, of home manufacture*, are positively *excluded* from it; so that printing the smallest ornament round a handerchief of British or Irish linen disqualifies *that* linen from receiving the bounty; while, at the same time, foreign linens, imported plain, and printed in Bri-

tain, are entitled, upon exportation, to the draw-back. Thus, by an apparent inconsistence of the legislature, its intentions to encourage the linen trade, in so far as they respect printed linens, are defeated.

In April 1754, the linen manufacture received a severe and unexpected blow. The whole bounties on British and Irish linens exported, (excepting sail-cloth), were allowed to *expire*; and, at the same time, the draw-backs on foreign linens exported were allowed to *continue*. The fatal effects of this inattention were immediately felt. The quantity of British and Irish linens exported fell, in one year,

From 2,226,769 yards
To 92,407

Infinite distress was brought upon the country; and the weavers and spinners were reduced to the greatest misery. To remedy these evils, this bounty was renewed in 1756, and again in 1771; but, as it expires with the present session of parliament, a memorial has been presented by the convention of royal boroughs to the Lords of the Treasury, setting forth the state of the linen trade, and praying their Lordships, that this bounty may be renewed, with the other expiring laws of the present session of parliament. There can be no doubt of the success of an application, not barely so reasonable, but so absolutely necessary; for as the linen trade is now nearly double what it was in A. D. 1754, double ruin must flow from the absolute stagnation of the trade, which would result from an expiry of the bounty.

The distress into which the American disturbances have involved the British empire has been severely felt by the linen manufacturers. Till the late dissentions, linens, in great quantities, were annually exported from Scotland to North America. Upon the demand from that extensive quarter of the globe being cut off, the first consequence was the market being overstocked; the second, a falling off in the quantity manufactured. Accordingly, the linens manufactured in A. D. 1778, fell short of those in 1777, near a tenth part in quantity, and above a sixth part in value.

The number of looms employed in Edinburgh in the linen branch is extremely fluctuating; the largest number that has been known is about 1500; at present it is supposed there are upwards of 800. That city has long been famous for making the finest damask table-linen, and linen in the Dutch manner equal to any that comes from Holland. Little of these articles is now imported; whereas, formerly, the nobility and gentry of Great Britain were entirely supplied with them from abroad.

In the weaving business, also, about 90 looms are employed in making silk gauze, flowered and plain; and cotton and linen stuffs are printed to a small extent.

The manufacture of leather in Edinburgh is far from being inconsiderable. There are a number of tan-works about the skirts of the city. The skinners have great employment. Shoes are not only made for the consumption of the place, but quantities have, at different times, been exported to the East and West Indies; and many of the regiments levied since the American war have been furnished with shoes from Edinburgh. There are few glovers; and they are so unskilful in their trade, that most of the gloves used in Edinburgh are brought from London, York, or Perth. But there is another species of the leather manufacture carried on at Edinburgh, and brought to a degree of perfection, of which it is difficult to conceive that commodity to be capable. This is the making of leather snuff-boxes, pen-cases, drinking-mugs, and a great variety of other articles. The leather is brought to such a consistence, as to resemble tortoise-shell exceedingly. Like it, the leather is polished, variegated, and transparent. The hinge of the box is also of leather; and it is executed with a neatness for which Scots tradesmen, in general, are nowise remarkable. This manufacture is carrried on by Thomas Clark and Son. It was invented by Clark senior, who got the invention protected during fourteen years, by patent from his late majesty, granted A. D. 1756. The patent being expired, his branch is now carried on at Birmingham also, and other parts of England, but not to such perfection as by Clark and Son. The articles of their manufacture are pretty well known not only over Britain, but in most parts of Europe.

DUTY on LEATHER Manufactured in Edinburgh, for two years.

In A. D. 1777,	L. 962	12	7¾
1778,	1100	5	0

An article of modern luxury, which, by slow steps, has spread to great extent, furnishes a considerable branch of manufacture in Edinburgh, we mean, the use of coaches.

Coaches were * first introduced into Britain A. D. 1580. A coach is mentioned as coming to Scotland in the suite of the English ambassador † A. D. 1598. But the first introduction of these carriages for the use of the people was in the

* Northumberland household-book, p. 448.
† Scott's History of Scotland, p. 551.

year 1610. At that that time *, Henry Anderson, an inhabitant of *Trail-sound*, or Stralsund, in Pomerania, offered to bring from that country coaches and waggons, *with horses to draw, and servants to attend them*, provided an exclusive privilege of keeping these carriages was secured to him. To this effect, a royal patent was granted him, conferring an exclusive privilege, for fifteen years, of keeping coaches to run between Edinburgh and Leith; for it was only for these towns that this vehicle seems then to have been intended; and it was not allowable to take more than two-pence Sterling for the fare of each passenger.

Coaches and six were first introduced into England, A. D. 1619, by the upstart Villiers Duke of Buckingham, the worthless minion of two † successive Sovereigns. The Earl of Northumberland was so much offended with this instance of Buckingham's vanity, that he ordered eight horses to be put to his own coach. By the end of the last century, coaches and chariots were pretty much used by the Scots nobility; but they were chiefly designed for the town, not for the road. It has been already observed, that, upon the approach of the King's Commissioner ‡ to Edinburgh, A. D. 1700, he was met, eight miles from the city, by a train of near forty coaches, and these were mostly drawn by six horses.

In the year 1702, one Robert Miller got a privilege of keeping four chaises, to run between Edinburgh and Leith, and excluding all others from keeping chaises to ply between these towns, for a term of nine years. In A. D. 1722, a company obtained from the magistrates an exclusive privilege, for twenty-one years ||, of keeping stage coaches, to run between these towns. Every coach was to contain six passengers; and the fare for each passenger was 3d. in summer, and 4d. in winter. Notwithstanding the monopoly, the business does not appear to have been lucrative; for, in A. D. 1727, the company presented a memorial to the magistrates, setting forth, that they were losers by the undertaking; and they were allowed to exact a fare of 4d. for each passenger in summer, and 6d. in winter; and the stables, horses, and provender being burned that same year, a contribution was set on foot, by authority of the magistrates, for enabling the company to replace them. The state of this business is now far different. Without the interference of the public magistrate, or

* Privy Seal Record, book 79. p. 225.; MSS. General Register Office, Edinburgh.

† Northumberland household-book, p. 448.; Wilson's Life of James, p. 130.

‡ Book I. c. 5.

|| Council Reg. v. 37. p. 214. v. 49. p. 211. v. 51. p. 306. 395.

invidious and illegal monopolies, so great is the concourse of people passing between Edinburgh and Leith, so much are stage coaches employed, that they pass and repass between these towns daily 156 times *. There are also stage coaches between Edinburgh and most towns of note within forty miles of it; and two set off weekly for London.

The first mention that we find of hackney coaches in Edinburgh, is in A. D. 1673. At that time, twenty hackney coaches plied in that city. Upon † the Rebellion 1679, which was terminated in the battle of Bothwell Bridge, the hackney-coach horses of Edinburgh were employed to draw the royal artillery. The city of Edinburgh is exceedingly ill adapted for the use of coaches. In the old town, the lanes and alleys extremely narrow and steep, and the houses piled above each other to a great height, render coaches, except in the High Street, of no use whatever. To the south and west quarters of the city, there is no access for carriages from the High Street, but by St Mary's Wynd; nor is there any to the New Town, or north quarter of the city, but by the bridge. If, on these accounts, the demand for hackney coaches be little, the supply, it must be confessed, is as bad. Not that the carriages themselves are shabby or incommodious; for they are better than the general run of the hackney coaches of London; but there is only one stand of coaches in the city, thither the coaches repair between eight and nine in the morning; about three in the afternoon they commonly disappear; and, when once put up, the owners will, on no account, set the horses again to a coach under five shillings. It is owing to these circumstances, joined to the great increase of post-chaises, that the number of hackney coaches, which, in A. D. 1673, was twenty, by the year 1752, had dwindled down to fourteen, and that now (A. D. 1778), *there are no more than nine entered hackney coaches in the city of Edinburgh.* But the duty on wheel carriages in the county of Edinburgh A. D. 1778, was L.2330.

If the number of hackney coaches be so wonderfully small, that of chairs, again, is very considerable. Sedan chairs, as well as coaches and six, were introduced into this island by the ‡ Duke of Buckingham. There are at present 188 hackney chairs in Edinburgh, besides about fifty private ones. The street chairs are to be had on a minute's warning, at all hours of the night or day. The fare is very reasonable; the chairmen are all Highlanders; and they carry the chairs so much

* Each of these carriages hold four persons. The fare in some of them is 2½d. and in some 3d.

† Maitland's History, p. 338. Wodrow's History, vol. 2. p. 52.

‡ Wilson's Life of James, p. 130.

better than the Irish chairmen of London, that an inhabitant of Edinburgh who visits the metropolis, can hardly repress his laughter at seeing the aukward hobble of a street-chair in the city of London.

The art of coach-making was first set up at Edinburgh about the year 1696; but it was not followed by a tradesman regularly bred to the business, till the beginning of the present century. At first the business consisted only in repairing coaches that had been made at London, and afterwards a few clumsy carriages were begun to be built; but, in the year 1738, Mr John Home, coachmaker, who had carried on the business for some time, went to London, where he completely instructed himself in that art. He returned to Edinburgh, provided with suitable work tools, which, till then, were not so much as known in that city, and he altered his mode of conducting the business; so that, instead of one man being employed as formerly, to execute the different branches of the work, he allotted distinct hands to the constructing of each part of the carriage, by which means the tradesmen soon became expert in their respective lines.

In this manner the art of coach-making was brought to a perfection, that not only enabled the coach-makers of Edinburgh to supply the nobility and gentry of Scotland with carriages, but also encouraged their exportation.

Carriages were begun to be exported, in a very small extent, from Leith to the West Indies, A. D. 1766. Since that, there has been a demand for them from Holland, Russia, France, and Poland. The value of carriages exported annually from Edinburgh, is about L.2200.

It has been already observed, that, about forty years ago, there were * only four printing-houses in Edinburgh; they are now increased to twenty-seven. It is within the same period that printing or writing paper began to be manufactured in Scotland. Before that, papers were imported from Holland, or brought from England. There are now about ten paper mills in the neighbourhood of Edinburgh; and such is the success of that manufacture, that little paper for printing is imported; but writing paper is so indifferently manufactured, that most of this article is still brought from England. Types are made at Edinburgh by Mr Bain; but most of those used in that city are brought from Glasgow. Painted paper, or paper for hanging of rooms, was begun to be made by Mr Esplin, about the same time with printing paper. At first, Mr Esplin confined himself to two colours, and sold his paper at a shilling per piece, consisting of twelve yards. The manufacture was improved by degrees, and a

* Book III. c. 4.

variety of colours and patterns introduced; so that the painted papers made at Edinburgh may now vie with those that are sent from England; but vast quantities of painted paper are still poured into Edinburgh from the metropolis.

The copper and tin-plate workers, and blacksmiths in Edinburgh, not only supply the demand for these articles in that city, and many parts of Scotland, but also furnish goods, which are occasionally sent to the West Indies and America. As it is the principal defect in copper vessels, that the tinning is laid on so thin as to wear off speedily, Maurice Crawfurd, coppersmith in Edinburgh, invented a method of making the copper take on a thicker body of tin, so that the vessels should not need a frequency of tinning. In A. D. 1770, he obtained a patent for an exclusive privilege of tinning copper vessels, after the manner invented by him, for a period of fourteen years. This method is found to answer well, if care be taken, in using of the vessels, that a sufficiency of liquid be kept in them to prevent the tin from running.

There are three brick manufactures presently wrought in the neighbourhood of Edinburgh. Of these, that carried on by Mr Jameson at Brickfield, or Portobello, is the most considerable. The abundant supply of free-stone in that neighbourhood renders brick of little use, but in making partition walls. About fifteen years ago, there were not above 400,000 bricks made at these manufactures. Such, however, has been the increase of buildings, that about 3,000,000 are now made there annually. Of these, part are exported to Norway, the West Indies, and Gibraltar.

It is needless to remark, that, in such a city as Edinburgh, cabinet and upholstery work must be made, and malt liquor brewed to a considerable extent. The duty on ale brewed in the city and precincts, for the year, ended

5th July 1776, was	L.7234	12	0½
1777	7788	12	9

Of the spirits distilled there, enough has been said in * another part of our work. We shall only observe, that the poison is not confined to the circle of Edinburgh; but a considerable quantity of it is sent to the north of England.

It remains that we speak of another branch of manufacture, which, till it was instituted in Edinburgh, had resisted all attempts at its preparation, in this division of the world; we mean that of crude sal ammoniac. This manufacture was erected in the precincts of Edinburgh, by Messrs Davie and Hutton, A. D. 1756. It has since been carried on in a manner as extensive as the nature of a work entirely new could

* Book III. c. 1.

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well admit. Till its institution, Britain, and the other nations of Europe, were supplied with sal ammoniac from Egypt and India, where alone it was manufactured. It is now prepared in different parts of Britain, as well as on the continent.

* * * * * *

The inhabitants of Leith were divided into four classes, and these classes erected into corporations by the queen dowager, Mary of Lorraine. These were the mariners, maltmen, trades and traffickers. The first of these consisted of ship-masters and sailors; the second, of malt-makers and brewers; the third, of coopers, bakers, smiths, wrights, &c. and the fourth, of merchants and shop-keepers.

Of these corporations, the mariners are the most considerable. They obtained from Mary of Lorraine a gift, afterwards ratified by William and Mary, of one penny duty on the ton of goods in the harbour of Leith, for the support of their poor. This duty, which, not many years ago, did not amount to L.40 a-year, now rises from L.70 to L.120, in proportion as trade flourishes. For the further support of the poor belonging to the corporation, the ship-masters pay annually sixpence a-pound out of their own wages, and the like sum they generously give upon their sailors' wages. From these sums, and from property acquired, and money lent from former savings, and donations made to them, this corporation is enabled to pay from L.600 to L.700 a-year to their poor. Opposite to South Leith Church, there is a large house belonging to them, called the *Trinity Hospital*, because originally consecrated to the Holy Trinity. In this house some of their poor used formerly to be maintained, now they are all out-pensioners. Besides other apartments, it contains a large handsome hall for the meetings of the corporation.

Adjoining to the school-house, there is another hospital. It is called King James's Hospital, and bears upon its front the cypher and arms of that prince. In this house, some poor women belonging to the other corporations are maintained.

As the town of Leith was very ill supplied with water, and the streets were neither properly cleaned nor lighted, an act was * passed in the year 1771, appointing certain persons from among the magistrates of Edinburgh, Lords of Session, inhabitants of Edinburgh and Leith, and members of the corporations of Leith, *Commissioners of Police*, impowering them to put this act in execution; and, for that purpose, to levy a sum not exceeding sixpence in the pound upon the valued

* Geo. III. an. 11. c. 30.

rent of Leith. The great change upon the streets of Leith, which has since taken place, shows, that this act has been judiciously prepared, and attentively executed.

Upon the north-west side of the water of Leith, lies the town of North Leith. It is a part of the barony of Canongate, and is subject to the jurisdiction of the Baron Bailie of Canongate, and of the magistrates of Edinburgh. The communication between this town and South Leith, is by a stone bridge of three arches, which appears to have been founded by Robert Ballantyne, abbot of Holyrood-house, about A. D. 1493. At the end of the bridge is the parish-church, of which the parson has a stipend of about L.110. He is presented to the benefice by the kirk-session and parishioners.

AUTHOR'S APPENDIX.

No. I.

Excerpt from a Manuscript Play, in the Possession of David Garrick, Esq.

'HERE begins the proclamation of the play made by David Lyndsay of the Mount, knight, in the *play-field*, 'in the month of the year of God 1555 years.'

'Proclamation made in Cupar of Fife.' *(Ten lines being premised, it goes on thus:)*

'Our purpose is, on the seventh day of June,
'*If weather serve* *, and we have rest and peace,
'We shall be seen into our playing place,
'In good array, about the hour of seven.
'Of thriftiness that day, I pray you cease;
'But ordain us good drink against *allevin.*
'Fail not to be upon the Castle Hill,
'Beside the place where we purpose to play;
'With good stark wine, your flaggons see you fill;
'And *kad* yourselves the merriest that you may.'

Cottager. 'I shall be there, with God's grace,
'Tho' there were never so great an price;
'And foremost in the fair:
'And drink an quart in Cupar town,
'With my gossip John Williamsoun,
'Tho' all the nolt should *rair.*'

* This address was both a prologue to the piece, and an ingenious method of informing the spectators, that their next exhibition should be on the 7th of June; for the piece from which this excerpt is taken, ends thus:

'As for this play, I have no more to say you,
'On Whitsun-Tuesday, come see our play, I pray you;
'That same day is the seventh day of June,
'Therefore get up right early and disjune.'

The play goes on in a connected chain, the different characters making their entries and exits till the end of the piece.

As a striking illustration of manners, we are strongly tempted to publish the PADLOCK SCENE, *a Spanish custom, which, either seriously or in ridicule, was actually exhibited by our forefathers upon the stage; but we could not transcribe it without participating the indecency of the original. We must rest, therefore, with observing in general, that the gross allurements with which the suitors courted the nymph's affections, and the ludicrous attempts which were made to defeat the precaution of the padlock, are circumstantially described. After which, the dotard husband concludes the scene thus:*

AULD MAN. 'By my good faith, Bess, that is true,
'That I suspected you, sore I rue.
'I trew there be no man in Fife,
'That ever had so good an wife.
'My own sweet-heart, I hold it best,
'That we sit down and take us rest.'

No. II.

In qua perspici potest quot libræ, solidi, denarii Scotici numerales, ex una argenti libra ponderali variis temporibus essent excusi; simulque pes illius monetæ, sive diversi sub diversis Regibus puritatis in ea gradus indicantur.

A. D.	Anno regni.		Puritas.			Allaia.			Nummorum ex libra argenti cusorum valor.		
			unc.	den.	gr.	unc.	den.	gr.	lib.	sol.	den.
ab anno 1107 ad 1296	Alexandri I. Davidis I. Gulielmi. Alexandri II. Alexandri III. Joannis.		11	2	0	0	18	0	1	0	0
ab anno 1306 ad 1329	Roberti I.		11	2	0	0	18	0	1	1	0
1366	Davidis II.	38	11	2	0	0	18	0	1	5	0
1367	———	39	11	2	0	0	18	0	1	9	4
ab anno 1371 ad 1390	Roberti II.		11	2	0	0	18	0	1	9	4
1393	Roberti III.	4	11	2	0	0	18	0	1	12	0
1424	Jacobi I.	19	11	2	0	0	18	0	1	17	6
1451	Jacobi II.	15	11	2	0	0	18	0	3	4	0
1456	———	20	11	2	0	0	18	0	4	16	0
1475	Jacobi III.	16	11	2	0	0	18	0	7	4	0
1484	———	24	11	2	0	0	18	0	7	0	0
1488 1489	Jacobi IV.	1 2	11	2	0	0	18	0	7	0	0
1529	Jacobi V.	16	11	0	0	1	0	0	9	12	0
1544	Mariæ.	3	11	0	0	1	0	0	9	12	0
1556	———	14	11	0	0	1	0	0	13	0	0
1565	———	23	11	0	0	1	0	0	18	0	0
1567	Jacobi VI.	1	11	0	0	1	0	0	18	0	0
1571	———	5	9	0	0	3	0	0	16	14	0
1576	———	10	8	0	0	4	0	0	16	14	0
1579	———	13	11	0	0	1	0	0	22	0	0
1581	———	15	11	0	0	1	0	0	24	0	0
1597	———	31	11	0	0	1	0	0	30	0	0
1601	———	35	11	0	0	1	0	0	36	0	0
1738	Georgii II.	12	11	2	0	0	18	0	37	4	0

No. III.

Description of the Celebration of the Birth-day, during the Tide of Loyalty.

EDINBURGH, May 29. 1665, being his Majesty's birth and restauration day, was most solemnly kept by people of all ranks in this city. My Lord Commissioner, in his state, accompanied with his life-guard on horseback, and Sir Andrew Ramsay, Lord Provost of Edinburgh, Bailies, and Council, in their robes, accompanied with all the trained bands in arms, went to church, and heard the Bishop of Edinburgh, upon a text as fit as well apply'd for the work of the day. Thereafter, thirty-five aged men, in blue gowns, each having got thirty-five shillings in a purse, came up from the abbey to the great church, praying all along for his Majesty. Sermon being ended, his Grace entertained all the nobles and gentlemen with a magnificent feast, and open table. After dinner, the Lord Provost and council went to the cross of Edinburgh, where was planted a green arbour, loaded with oranges and lemons, wine liberally running for divers hours at eight several conduits, *to the great solace of the indigent commons there.* Having drunk all the royal healths, which were seconded by the great guns from the Castle, sound of trumpets and drums, vollies from the trained bands, and joyful acclamations from the people, they plentifully entertained the multitude. After which, my Lord Commissioner, Provost, and Bailies, went up to the Castle, where they were entertained with all sorts of wine and sweet-meats; and returning, the Lord Provost countenancing all the neighbours of the city that had put up bonefires, by appearing at their fires, being in great numbers; which jovialness continued with ringing of bells, and shooting of great guns till twelve o'clock at night.—*Intelligencer, p.* 91. 1*st June* 1665.

No. IV.

Order of the Funeral of his Grace James Sharp, Lord Archbishop of St Andrews, and primate of Scotland, as it was performed at St Andrews on Saturday the 17th May 1679, *the Procession moving from the Abbey to the Town Church.*

SIXTY-ONE old men, corresponding * to the years of the defunct's age, each in mourning hoods and cloaks, and bearing on staffs the arms of the archiepiscopal see, impaled with those of the defunct, one preceding and bearing a little gumphion, the rest following two and two.

The horse of state, equipped in furniture, as for the riding of parliament, led by footmen, in his Grace's livery.

Two close trumpets, with mourning banners.

A horse in mourning, led by footmen in mourning.

The great Gumphion borne on a lance.

The great mourning pencil borne by Sir John Strachan.

The defunct's servants, and those of the nobility and gentry, in mourning.

The magistrates of St Andrews.

The magistrates of the other royal boroughs.

The magistrates of Edinburgh.

Professors of the university of St Andrews.

Clergymen of the diocese.

Doctors and other dignitaries in the church.

The rector of the university, ushered by his three maces.

Gentlemen and Knights, two and two.

The Lords of Session, ushered by their four ordinary macers.

The nobility according to their rank, two and two.

Two close trumpets.

A mourning standard, born by Sharp of Houston.

Four coats of arms, two paternal, and two maternal, borne each after the other.

The great mourning banner, borne by Cuningham of Barnes.

His Grace's physician, secretary, and chaplain.

Six pursuivants in their coats, two and two.

* Lyon's register of processions, letters of precedency, testificates, and forfaulters, MSS. Lyon office, Edinburgh.

Six heraulds in their coats,
two and two.
The first bearing, on an antique shield, the arms of the see, and of the defunct, impaled; the second, that of the see; the third, the crosier; the fourth, the scarf; the fifth, the gown; the sixth and eldest, the mitre, on a velvet cushion.
The Lord Lyon, King at Arms, in his coat.
The Lord High Chancellor,
preceded by the purse and great mace.

Macer of privy council.

THE COFFIN,

Macer of privy council.

adorned with escutcheons of the defunct's arms impaled with those of the see, and with a mitre placed on a velvet cushion, fringed and tasselled with gold, and covered with crape.
Chief mourners, Sir William Sharp of Scots-craig, the deceased's only son, and Sir William Sharp of Stonie-hill, the deceased's brother.

Over the coffin,

a canopy, adorned with a mitre, with small escutcheons, mort-heads and cyphers, borne by six moderators of presbyteries, &c.
The Archbishop of Glasgow, and all the Bishops of Scotland.
The bloody gown in which his Grace was slain, borne by the Chaplain of his household.
The coach out of which he was taken and murdered, with the coachman, horses, and postilion, all in deep mourning.
A troop of guards.
The church all in mourning; the pulpit, and before it a table covered with black velvet, on which the coffin was placed.
The funeral sermon preached by John Bishop of Edinburgh.
The body laid in the grave with the sound of open trumpets.
Over the grave a canopy erected covered with black cloth, and adorned with the gumphion, standards, banners, &c. which had been carried in the procession.

No. V.

Order of the Funeral Procession of His Grace John Duke of Rothes, Lord High Chancellor of Scotland, as it was performed on the 23d of August 1681.

HIS Grace had died in the * palace of Holyrood-house, and the body had been brought up to St Giles, accompanied with a train of coaches; thence it was conducted to the royal chapel of Holyrood-house, in the order following:

The Commander in Chief of the forces, accompanied by two Adjutant Generals.
A regiment of guards, with their arms reversed.
The governor of Edinburgh Castle, who was also General of the artillery, with a batoon in his hand, at the head of a company of soldiers.
A train of artillery, with waggons and ammunition conform, led by horses in military equipage, the gunners, &c. walking by.
The Earl of Marr's regiment, with their arms reversed.
Two conductors in mourning, each bearing long staffs in their hands.
Two persons in mourning a-breast, the one bearing a little gumphion, the other a winged hour-glass, with this motto, *Fugit hora*.
Fifty-one poor men, corresponding to the years of the defunct's age, in gowns and hoods, each bearing on a staff his Grace's arms, and having on their shoulders cyphers of his name and age; one preceding, the rest following two and two.
An open trumpet in the deceased's livery, with a banner of his arms.
On horseback, a gentleman in complete armour, with a plumage of feathers in his helm.
A gentleman bearing, on the point of a lance, the colours of the deceased.
Twelve of his Grace's servants in mourning, two and two.
The pencil of honour.
The coat of Abernethie, (being one of the quarters of his Grace's arms).

* Lyon's Register of Processions, &c. MSS. Lyon Office, Edinburgh.

The paternal coat of Leslie.
The standard of honour.
The horse of war, with great saddle, pistols, and other accoutrements for war, led by two lackies in livery.
Two close trumpets in mourning, with banners.
Two pursuivants in their coats; Bute on the right, Carrick on the left.
The great gumphion, or mort-head.
The mourning pencil.
The coat of alliance, by the name of Abernethie, in mourning.
The principal and paternal bearings of the name of LESLIE.
A little mourning standard.
These five honours being borne by gentlemen of the name of Leslie.
Gentlemen allied to the deceased, two and two.
Two pursuivants at arms; Dingwall on the right, Cantyre on the left.
The spurs borne aloft.
The gauntlets.
The corslet.
The targe.
The helmet, with wreath and coronet.
The sword.
All these borne by gentlemen of the name of Leslie.
The deceased's ordinary saddle horse, led by two lackies in livery.
The Lord Provost,
Magistrates and town-council of Edinburgh in their robes, ushered by the city mace and sword.
The ministers of Edinburgh, and professors of the university, in their gowns, two and two.
Commissaries of Edinburgh, two and two.
Gentlemen and barons, two and two.
The Lords of Session in their robes, ushered by their four ordinary macers, and followed by the faculty of advocates, and society of clerks to the signet, in their gowns.
The Lord Chancellor's gown which he wore in the Court of Session.
Officers of state (not noblemen), two and two.
Lords, two and two.
Bishops, two and two.
Viscounts, two and two.
Earls, two and two.
Marquisses.
Dukes.
Two pursuivants in their coats; Unicorn on the right, Ormond on the left.
Two close trumpets.

The eight branches, or armorial bearings of his Grace's family; four paternal on the right, and four maternal on the left, two and two, viz.

1. and 2 That of Ker, Earl of Roxburgh, borne by Macdowall of Mackerstoune, and that of Balzac, Duke of Entrague, by Sir William Hope.

3. and 4. Hamilton of Evandale, borne by the Laird of Gilkerscleugh, and Murray, Earl of Tullibardine, by Mungo Haldane of Gleneagies.

5. and 6. Drummond Earl of Perth, borne by Drummond of Hawthornden, and Stuart Duke of Lennox, by William Gordon, Esq. advocate.

7. and 8. Leslie, Earl of Rothes, by Sir John Leslie of Newton, and Areskine, Earl of Marr, by John Areskine of Alva.

A horse in mourning, led by lacquies in mourning.

The great mourning banner, borne by the master of Newark.

Six heralds in their coats, two and two, bearing as follows: Islay on the right, bearing the paternal coat, Albany on the left, bearing the coat of alliance.

Marchmont the crest, scroll and motto; Rothesay the helmet, adorned with ducal coronet, wreath and mantling.

Snadown the sword, and Ross the targe.

* Two surgeons.

Two apothecaries.

Two secretaries.

Two chaplains.

Two doctors of medicine.

A horse adorned with trappings suitable to the procession of the parliament, led and attended by eight lackies in his Grace's livery.

The deceased's parliamentary robes, borne by two gentlemen of the name of Leslie.

The ducal coronet borne by Leslie of Balquhain.

The Archbishop of St Andrews; on his left the Archbishop of Glasgow.

Sir Alexander Areskine of Cambo, Lord Lyon King at Arms in his robes, bearing the deceased's coat of arms, supported on the right by Sir Robert Sinclair of Stevenson; on the left by Sir Charles Areskine of Alva, each bearing out a side of the coat armorial.

The white rod	A batoon, denoting his Grace to have once been commander in chief of the forces, borne by Urquhart of Meldrum.	The treasurer's emblem mace, of his having once been Lord Treasurer.

* The surgeons and apothecaries disputed upon precedency; the surgeons would not walk, and other persons were appointed in their place.

A macer of privy council.

The purse and great seal of Scotland.

The Chancellor's mace.

A macer of privy council.

THE COFFIN,

Covered with a rich mort-cloth,
adorned with a ducal coronet, small escutcheons
of the deceased's arms, mort-heads,
and cyphers,

Borne by the Duke of Hamilton, the Marquis of Douglas, the Marquis of Athole, the Earls of Airth, Buchan, Cassils, Linlithgow, Perth, Roxburgh, Queensberry, Tweedale, and Tarras; and the Lords Cardross, Pitsligo, and Newark.

Over the coffin,

A rich canopy, adorned with a ducal coronet, escutcheons of the deceased's arms, of the branches of his family, cyphers, &c.

Borne by noblemen's sons, viz. Lord Murray, Lord Charles Hamilton, the Lords Lorn, Keith, Livingstone, Glames, Crichton, Ogilvie, Yester, Boyd, Cochrane, Inverurie; Lord Charles Murray, Lord James Murray; the masters of Kingstone, Forbes, Ross, Balmerino, Burleigh, Melvill, and Pitsligo; the noblemen who carried the body and canopy being relieved by a number of knights and gentlemen.

Chief mourners

in hoods and gowns, having their trains borne by gentlemen in mourning;

MARQUIS OF MONTROSE, AND EARL OF HADDINGTON,

Sons-in-law to the deceased, assisted by ten of his nearest relations, viz. the Earls of Crawfurd, Marischall, Marr, Eglintoun, Northesk, Kintore; the Lords Montgomery, Lindores, Bruntisland, and Mr Francis Montgomery.

The deceased's coach, with six horses, coachman and postilion in mourning.

A troop of guards.

From the chapel of Holyrood-house, the body was next day conveyed to Leith in a hearse, followed by a train of coaches, thence it was transported to Bruntisland; and the day after it was met by the gentlemen of the county of Fife, of which his Grace was high sheriff, and by them it was accompanied to the family burying-place at Leslie, the body being laid in the grave with sound of open trumpets, and the honours placed above the grave.

No. VI.

Order of Procession in Riding of the Scottish Parliament, as performed at Edinburgh upon the 6th of May 1703, with the number of those who went, or should have gone in Procession.

THE streets of the city of Edinburgh and Canongate being cleared of all coaches and carriages, and a lane formed, by the streets being inrailed, on both sides; within which none were permitted to enter but those who went in procession, the captains, lieutenants, and ensigns of the trained bands excepted. Without the rails, the streets being lined with the horse guards, from the palace of Holyrood-house, westwards; after them with the horse grenadiers; next, with the foot guards, who covered the streets up to the Netherbow; and thence to the Parliament Square, by the trained bands of the city; from the Parliament Square to the Parliament House, by the Lord High Constable's guards; and from the Parliament House to the bar, by the Earl Marshall's guards; the Lord High Constable being seated in an elbow-chair at the door of the Parliament House; the officers of state having rode up before in their robes; and the members of parliament, with their attendants, being assembled at Holyrood-house, the rolls of parliament were called by the Lord Register, Lord Lyon, and Heralds, from the windows and gates of the palace; from which the procession moved to the Parliament House in the following order:

Two trumpets in coats and banners, bareheaded, riding.
Two pursuivants in coats and foot-mantles, ditto.
Sixty-three commissioners for boroughs on horseback, covered, two and two, each having a lacquey attending on foot, the odd member walking alone.

Seventy-seven commissioners for shires on horseback,
covered, two and two,
each having two lackies attending on foot.
Fifty-one Lords Barons in their robes, riding,
two and two,
each having a gentleman to support his train, and three lackies on foot, wearing above their liveries, velvet surtouts, with the arms, of their respective lords, on the breast and back, embossed on plate, or embroidered with gold and silver.
Nineteen Viscounts as the former.
Sixty Earls as the former, four lackies attending on each.
Four trumpets, two and two.
Four pursuivants, two and two.
And six heralds, two and two, bareheaded.
Lord Lyon King at Arms, in his coat, robe, chain, batoon, and foot-mantle.

Three Maces.

Sword of State,
borne by the Earl of Marr,
The Sceptre,
by the Earl of Crawfurd.

Three Maces.

THE CROWN,
By the Earl of Forfar, in room of the Marquis of Douglas.
The Purse and Commission, by the
Earl of Morton.
THE DUKE OF QUEENSBERRY, LORD HIGH COMMISSIONER,
with his servants, pages
and footmen.
Four Dukes, two and two,
Gentlemen bearing their trains,
and each having eight lackies.
Six Marquisses,
each having six lackies.
The Duke of Argyle.
Captain of the Horse Guards.
The Horse Guards.

The Lord High Commissioner was received by the Lord High Constable, and by him conducted to the Earl Marshal, between whom, his Grace, ushered by the Lord High Chancellor, was conveyed to the throne. When the parliament rose, the procession returned in nearly the same order to Holyrood-house, where the members were magnificently entertained at supper by the Commissioner.

No. VII.

Table of the Fiars of the County of Edinburgh, from A. D. 1645 to 1777, inclusive.*

BEST	1645.	1646.	1647.	1648.	1649.	1650.	1651. Sterling.
Wheat	L.0 11 $1\frac{4}{15}$	0 11 8	0 18 4	1 1 $1\frac{1}{3}$	1 2 $2\frac{1}{3}$	1 2 $2\frac{2}{3}$	1 0 10
Bear	0 8 $10\frac{2}{3}$	0 8 4	0 12 $2\frac{2}{3}$	0 16 8	0 17 $9\frac{1}{2}$	0 17 $9\frac{1}{3}$	0 18 4
Oats	0 7 $2\frac{2}{3}$	0 6 $1\frac{1}{3}$	0 10 $6\frac{2}{3}$	0 15 $6\frac{2}{3}$	0 16 8	0 16 8	0 16 8
Meal	0 8 $10\frac{2}{3}$	0 8 $10\frac{2}{3}$	0 12 $2\frac{2}{3}$	0 16 8	0 17 $9\frac{1}{2}$	0 18 4	0 18 4
Pease and beans	0 7 6	0 6 8	0 13 $10\frac{2}{3}$	0 15 0	0 18 4	0 15 0	0 15 0

	1652.	1653.	1654.	1655.	1656.	1657.	1658.
Wheat	L.0 18 4	None struck.	0 7 6	0 11 8	0 11 $11\frac{1}{3}$	0 11 $1\frac{1}{3}$	None struck.
Bear	0 16 8		0 7 $9\frac{1}{3}$	0 10 $11\frac{1}{2}$	0 10 $6\frac{2}{3}$	0 10 $6\frac{2}{3}$	
Oats	0 12 6		0 4 $5\frac{1}{3}$	0 5 6	0 6 $11\frac{1}{3}$	0 6 8	
Meal	0 13 4		0 5 $6\frac{2}{3}$	0 12 6	0 8 4	0 8 4	
Pease	0 15 0		0 3 4	0 6 8	0 5 10	0 6 $1\frac{1}{3}$	

	1659 and 1660 †.	1661.	1662.	1663.	1664.	1665.	1666.
Wheat	L.0 18 4	0 18 4	0 15 0	0 15 0	0 11 8	0 12 6	0 10 $6\frac{2}{3}$
Bear	0 10 $6\frac{2}{3}$	0 15 0	0 12 6	0 11 8	0 9 $5\frac{1}{3}$	0 9 2	0 10 0
Oats	0 10 10	0 10 6	0 7 $9\frac{1}{3}$	0 7 $9\frac{1}{3}$	0 5 $6\frac{2}{3}$	0 6 4	0 6 8
Meal	0 11 8	0 10 6		0 8 4	0 6 8	0 7 5	0 8 0
Pease	0 8 $10\frac{2}{3}$	0 9 $5\frac{1}{3}$	0 5 10	0 6 8	0 4 $5\frac{1}{3}$	0 7 $2\frac{2}{3}$	0 6 0

* Fiars are a term in the Scots law and in farming, denoting the converted prices of victual established by the Sheriffs of the different counties in Scotland for each year. The rates thus established are, in fact, lower than the prices commonly given at the time.

† No difference betwixt 1659 and 1660, being both made in An. 1660; because the court did not sit in 1659.

	1667.	1668.	1669.	1670.	1671.	1672.	1673.
Wheat	L.0 9 2	0 10 6⅔	0 10 6⅔	0 10 3⅓	0 16 11⅔	0 12 2⅔	0 11 1⅓
Bear	0 10 10	0 10 0	0 10 0	0 10 0	0 10 6⅔	0 11 3⅓	0 10 6⅔
Oats	0 6 4	0 6 8	0 5 6⅔	0 8 4	0 10 0	0 7 9⅓	0 7 9⅓
Meal	0 6 11⅓	0 6 8	0 7 4	0 8 10⅔	0 11 1⅓	0 8 10⅔	0 8 4
Pease	0 6 8		0 5 3⅓	0 5 10	0 10 0	0 7 2⅔	0 10 0

	1674.	1675.	1676.	1677.	1678.	1679.	1680.
Wheat	L.1 0 6⅔	0 18 4	0 11 4	0 11 1⅓	0 11 8	0 15 0	0 10 5
Bear	0 16 1⅓	1 0 0	0 11 8	0 11 8	0 9 4	0 11 1⅓	0 10 0
Oats	0 13 10⅔	0 13 0	0 5 10	0 6 1⅓	0 5 10	0 6 8	0 6 8
Meal	0 15 6⅔	0 13 4	0 6 8	0 6 8	0 6 8	0 7 9⅓	0 8 0
Pease	0 18 4	0 14 2	0 6 8	0 5 0	0 5 0	0 7 2⅔	0 9 8

	1681.	1682.	1683.	1684.	1685.	1686.	1687.
Wheat	L.0 10 5	0 12 6	0 13 2	0 10 4	0 10 8	0 10 0	0 9 8
Bear	0 10 0	0 14 5	0 9 10	0 9 8	0 9 6	0 10 10	0 9 7
Oats	0 8 4	0 9 0	0 7 9⅓	0 7 2⅔	0 6 10	0 6 8	0 6 10
Meal	0 8 10⅔	0 9 4	0 7 9⅓	0 7 4	0 7 2⅔	0 7 1	0 7 5
Pease	0 9 2	0 8 4	0 6 8	0 6 8	0 6 0	0 9 8	0 6 0

	1688.	1689.	1690.	1691.	1692.	1693.	1694.
Wheat	L.0 9 4	0 13 10⅔	0 15 0	0 12 8	0 11 8	0 14 4	0 14 10
Bear	0 9 6	0 10 5	0 14 5⅓	0 9 10	0 10 0	0 10 5	0 10 6⅔
Oats	0 7 9⅓	0 9 6	0 11 3	0 7 2⅔	0 6 8	0 7 4	0 8 0
Meal	0 8 4	0 9 10	0 11 4	0 7 4	0 6 11⅓	0 8 0	0 8 4
Pease	0 8 4	0 7 6	0 13 2	0 6 8	0 6 8	0 7 2⅔	0 8 7⅓

	1695.	1696.	1697.	1698.	1699.	1700.	1701.
Wheat	L.0 17 $2\frac{2}{3}$	1 1 $1\frac{1}{3}$	0 19 $5\frac{1}{3}$	1 8 4	1 3 4	0 16 $1\frac{1}{3}$	0 11 8
Bear	0 13 9	1 0 0	0 15 10	1 2 $2\frac{2}{3}$	1 1 1	0 15 10	0 10 $6\frac{2}{3}$
Oats	0 12 $2\frac{2}{3}$	0 16 8	0 11 $1\frac{1}{3}$	1 0 0	0 15 0	0 10 0	0 6 $11\frac{1}{3}$
Meal	0 12 11	0 19 4	0 12 $5\frac{2}{3}$	1 2 0	0 16 8	0 11 $1\frac{1}{3}$	0 8 0
Pease	0 13 $10\frac{2}{3}$	0 19 6	0 11 $1\frac{1}{3}$	1 1 8	0 16 $11\frac{1}{3}$	0 8 4	0 5 $3\frac{1}{3}$

	1702.	1703.	1704.	1705.	1706.	1707.	1708.
Wheat	L.0 11 8	0 14 2	0 12 10	0 10 10	0 8 $10\frac{2}{3}$	0 12 $2\frac{2}{3}$	0 15 10
Bear	0 11 $1\frac{1}{3}$	0 11 $11\frac{1}{3}$	0 11 3	0 11 0	0 8 6	0 8 $10\frac{2}{3}$	0 12 $2\frac{2}{3}$
Oats	0 10 6	0 9 2	0 8 $10\frac{2}{3}$	0 7 $9\frac{1}{3}$	0 5 $6\frac{2}{3}$	0 6 6	0 10 10
Meal	0 11 8	0 10 5	0 10 0	0 8 $10\frac{2}{3}$	0 6 8	0 7 6	0 12 0
Pease	0 8 4	0 7 6	0 7 6	0 8 4	0 4 8	0 5 0	0 8 $10\frac{2}{3}$

	1709.	1710.	1711.	1712.	1713.	1714.	1715.
Wheat	L.1 1 $1\frac{1}{3}$	0 14 7	0 14 2	0 14 2	0 17 6	0 12 10	0 14 $5\frac{1}{3}$
Bear	0 14 7	0 14 2	0 12 $2\frac{2}{3}$	0 10 $6\frac{2}{3}$	0 10 10	0 12 10	0 11 4
Oats	0 12 6	0 10 $3\frac{1}{3}$	0 3 4	0 7 10	0 8 4	0 8 $10\frac{2}{3}$	0 8 $10\frac{2}{3}$
Meal	0 14 $2\frac{2}{3}$	0 12 0	0 10 0	0 8 $10\frac{2}{3}$	0 10 0	0 10 0	0 10 0
Pease	0 11 8	0 11 $1\frac{1}{3}$	0 6 8	0 6 4	0 13 4	0 10 0	0 9 $5\frac{1}{3}$

	1716.	1717.	1718.	1719.	1720.	1721.	1722.
Wheat	L.0 12 $9\frac{1}{3}$	0 12 6	0 12 $2\frac{2}{3}$	0 12 $2\frac{2}{3}$	0 10 4	0 12 6	0 12 6
Bear	0 10 5	0 9 6	0 11 0	0 11 8	0 11 3	0 10 $3\frac{1}{3}$	0 11 6
Oats	0 7 $9\frac{1}{3}$	0 9 2	0 8 8	0 9 10	0 9 2	0 8 7	0 9 10
Meal	0 8 4	0 10 0	0 10 0	0 10 8	0 10 0	0 10 0	0 10 8
Pease	0 5 $6\frac{2}{3}$	0 6 8	0 6 8	0 8 4	0 8 4	0 8 4	0 11 8

	1723.	1724.	1725.	1726.	1727.	1728.	1729.
Wheat	L.0 12 10	0 13 0	0 16 0	0 13 8	0 15 0	0 16 8	0 14 4
Barley	0 13 9	0 10 5	0 11 8	0 10 6	0 12 5	0 15 0	0 11 1⅓
Oats	0 10 8	0 8 7⅓	0 9 5⅓	0 8 10⅔	0 9 2	0 11 4	0 10 0
Meal	0 11 6	0 8 10⅔	0 11 1⅓	0 10 0	0 10 8	0 12 4	0 11 0
Pease	0 11 0	0 7 6	0 8 6	0 7 8	0 9 2	0 11 0	0 7 8

	1730.	1731.	1732.	1733.	1734.	1735.	1736.
Wheat	L.0 12 10	0 13 0	0 10 6	0 12 9⅓	0 14 10	0 14 10	0 12 6
Bear	0 9 5⅓	0 9 8	0 8 9	0 10 5	0 10 5	0 10 7	0 11 10
Oats	0 7 8	0 8 6	0 7 5	0 8 4	0 8 4	0 9 8	0 9 4
Meal	0 8 8	0 9 6	0 8 4	0 10 0	0 10 0	0 11 0	0 10 0
Pease	0 5 4	0 5 6	0 6 0	0 6 8	0 7 6	0 8 8	0 10 6

	1737.	1738.	1739.	1740.	1741.	1742.	1743.
Wheat	L.0 13 4	0 11 0	0 13 7	1 2 1	0 14 2	0 11 0	0 10 0
Barley	0 11 8	0 9 10	0 12 0	0 17 8	0 11 1⅓	0 11 1⅓	0 9 4
Oats	0 8 10	0 6 10	0 9 4	0 14 6	0 9 4	0 7 6	0 6 6
Meal	0 10 6	0 8 2	0 11 0	0 17 0	0 10 8	0 8 4	0 7 6
Pease	0 10 6	0 6 6	0 9 2	1 0 0	0 9 4	0 7 6	0 6 0

	1744.	1745.	1746.	1747.	1748.	1749.	1750.
Wheat	L.0 11 10	0 15 6	0 14 0	0 13 8	0 14 4	0 13 4	0 13 6
Bear	0 16 6	0 11 8	0 11 8	0 11 2	0 11 4	0 10 6	0 10 7
Oats	0 9 4	0 9 4	0 9 4	0 7 8	0 9 0	0 9 0	0 9 4
Meal	0 11 8	0 10 6	0 10 6	0 8 8	0 10 0	0 10 8	0 10 8
Pease	0 8 0	0 7 6	0 7 6	0 7 6	0 6 8	0 7 0	0 9 7

	1751.	1752.	1753.	1754.	1755.	1756.	1757.
Wheat	L.0 17 8	0 15 0	0 15 0	0 12 8	0 13 8	1 2 0	0 18 9
Barley	0 12 0	0 13 0	0 14 0	0 10 5	0 11 0	0 16 8	0 14 9
Oats	0 11 8	0 12 0	0 10 6	0 9 0	0 11 0	0 15 0	0 12 0
Meal	0 13 8	0 13 4	0 12 0	0 10 0	0 12 0	0 16 8	0 13 8
Pease	0 12 6	0 13 4	0 10 6	0 8 0	0 10 6	0 16 8	0 13 4

	1758.	1759.	1760.	1761.	1762.	1763.	1764.
Wheat	L.0 15 0	0 13 4	0 13 6	0 14 0	0 19 6	0 16 8	0 19 0
Barley	0 10 6	0 10 5	0 10 3	0 10 6	0 14 3	0 13 6	0 13 9
Oats	0 8 8	0 8 0	0 8 4	0 9 0	0 15 0	0 10 6	0 12 2
Meal	0 10 0	0 8 8	0 9 6	0 10 6	0 16 8	0 11 8	0 13 4
Pease	0 8 0	0 6 0	0 8 0	0 8 0	0 12 6	0 11 8	0 12 0

	1765.	1766.	1767.	1768.	1769.	1770.	1771.
Wheat	L.1 0 0	0 19 6	1 1 0	1 0 0	0 18 0	0 18 6	1 1 0
Bear	0 16 6	0 17 0	0 14 0	0 11 9	0 13 6	0 13 9	0 16 3
Oats	0 14 6	0 14 3	0 14 0	0 10 0	0 11 6	0 12 0	0 14 8
Meal	0 16 0	0 15 6	0 15 4	0 12 0	0 14 0	0 14 0	0 16 8
Pease	0 13 0	0 14 6	0 14 6	0 13 6	0 11 0	0 11 6	0 14 0

	1772.	1773.	1774.	1775.	1776.	1777.
Wheat	L.1 2 6	1 2 3	1 1 0	0 19 0	0 18 6	1 0 0
Bear	0 17 6	0 17 4	0 16 3	0 13 11	0 12 0	0 13 0
Oats	0 14 6	0 14 0	0 13 6	0 10 0	0 10 0	0 10 6
Meal	0 16 8	0 15 0	0 15 6	0 12 0	0 12 0	0 12 0
Pease	0 15 0	0 12 6	0 12 6	0 10 6	0 10 0	0 10 0

No. VIII.

A Dissertation on the Scottish Music *.

Nostras nec erubuit sylvas habitare Thalia. *Virg.*

THE genius of the Scots has in nothing shone more conspicuous than in poetry and music. Of the first, the poems of Ossian, composed in an age of rude antiquity, are sufficient proof. At this day they are admired both in our own country, and in the nations on the Continent, by every person of unprejudiced taste; and will continue to be so, as long as there shall remain a true sense of the sublime in poetry. The peevish doubt that some have entertained of their authenticity, appears to be the utmost refinement of scepticism.

The Scottish music does no less honour than its poetry, to the genius of the country. The old Scots songs, or melodies, have always been admired, for that wild pathetic sweetness which distinguishes them from the music of every other country. I am prompted in this essay to try if I can fix the aera of our most ancient melodies, and trace the history of our music down to modern times. In a path so untrodden, where scarce a track is to be seen to lead the way, the surest guide I have to follow is the music itself, and a few authorities from our history. After all, the utmost I aim at is probability; and, perhaps, by some hints, I may lead others to hit upon a more direct road.

From their artless simplicity, it is evident, that the Scots melodies, or songs, are derived from a very remote antiquity. The absurd conjecture, that David Rizzio was either the composer or reformer of the Scottish melodies, has of late been so fully exposed, that I need say very little to confute it: that the science of music was well understood, and that we had great masters, both theorists and performers, more than a century before Rizzio came to Scotland, I shall immediately show. He is by no cotemporary writer said to have been a composer. He is not even extolled as a great performer; nor is there tradition for his being the author of any one particular song; and, allowing him to have had ability, the short time he was in Scotland, scarce three years, was too busy with him to admit of such amusement.—Let us endeavour to trace back our music nearer to its origin.

* We were favoured with this dissertation by a learned and ingenious friend.

The most ancient of our songs still preserved, are extremely simple, and void of all art. They generally consist only of one measure *, without a second part, as the later or more modern airs have; and they must have been composed for a very simple instrument, such, perhaps, as the shepherd's pipe, of few notes, and of the plain diatonic scale, without using the semitones, or sharps and flats. The strain of our old melodies is plaintive and melancholy; and, what makes them soothing and affecting to a great degree, is a constant use of the concordant tones, the third and fifth of the scale, often ending upon the fifth, and some of them on the sixth of the scale. By this artless standard, several of our oldest Scots melodies may be traced; such as *Gil Morris*,—*There cam' a ghost to Marg'ret's door*,—*O laddie, I maun loo thee*,—*Hap me wi' thy pettycoat*. I mean the old sets of these airs, as the last air, which I take to be one of our oldest songs, is so modernized, as scarce to have a trace of its ancient simplicity.

It may, perhaps, be said, that the words of some of these songs denote them to be of no very ancient date: but, it is well known, that many of our old songs have changed their original names, by being adapted to more modern words. The last tune, *Hap me wi' thy pettycoat*, I have seen in an old MS. book, under another title, and many instances of such changes may be given in the names of our songs. To return;—the simplicity and wildness of those, and several other Scots melodies, denote them, in my opinion, to be the production of an age, prior to the use of any musical instrument beyond that of a very simple scale, of few natural divisions, and prior to the knowledge of any rules of artificial music. This conjecture, if solid, must carry them up to a very high antiquity.

That the science of music, and the rules of composition, were known before the 15th century, is certain. King James I. the most accomplished prince of his time, a patriot, lawgiver, and poet, is celebrated by all the Scots historians, not only as an excellent performer, but a great theorist in music, and a composer of airs to his own verses.† "Hic etenim in musica, (says Fordun), non solum in sono vocis, sed in artis perfectione, in tympano et choro, in psalterio et organo. Non inquam avidi ad usum, sed ad summæ perfectionis magisterium natura creatrix, quædam vis et potentia divinitus humano ge-

* Some old tunes have a second part; but it is only a repetition of the first part, on the higher octave; and most of these second parts, I suspect, are of a more modern date than the tunes themselves.

† Forduni Scoti-chronicon, v. 2. c. 28.

neri insita, ultra humanam æstimationem ipsum vivacitur decoravit; præsertim in tactu citharæ tanquam alterum Orpheum, principem et prælatum omnium citharœdorum, in citharis suis, dilectabiliter et dulciter illum prædotavit." Fordun, in the same jingling stile, has a whole chapter, the 29th of his history, on King James's learning and knowledge, in the ancient Grecian, as well as in the modern scales of music, which is too long to be transcribed, but, for its curiosity, is worthy to be considered by the modern *dilettante* in music.

The next authority is John Major, who celebrates James I. as a poet, composer, and admirable performer of music; and affirms, that, in his (Major's) time, the verses and songs of that prince, (*Cantilenæ*) were reckoned among the first of the Scots melodies. I shall give the whole passage:

"In vernacula lingua artificiosissimus compositor, cujus cœdices plurimi et cantilenæ memoriter adhuc apud Scotos inter primos habentur. Artificiosum libellum de Regina, dum captivus erat, composuit, antequam eam in conjugem duxerat. Et aliam artificiosam cantilenam ejusdem, *yas sen*, *&c.* et jucundum artificiosumque illum cantum, *at Beltayn*, quem alii de Dalkeith et Gargeil, mutare studuerunt, quia in arcia aut camera clausus servabatur, in qua mulier cum matre habitabat." It is a pity that Major has left us only this obscure hint of the subject of this song.

Amongst the number of our old Scots melodies, it is, I think, scarce to be doubted, that many of King James's compositions which were esteemed amongst the 'first of the age,' are still remaining; but as no tradition down to our time, has ascertained them, they, in all probability, pass undistinguished, under other names, and are adapted to more modern times. There can be no doubt, however, that most of James's compositions have shared the same fate with many of our old airs, and are now lost. All our old heroic ballads, such as *Hardyknute*, and others, were undoubtedly sung to tunes composed for them, now lost. Among those still preserved, the episodes of *Ossian* are at this day sung in the Highlands; *Gill Morris*, the *Flowers of the Forest*, and *Hero and Leander*, are still sung to their old pathetic strains. These, however, are but a few of many old ballads whose airs are now unknown. In the MS. collection of Scottish poems before 1568, made by *Banatyne*, formerly in Lord Hyndford's possession, now in the Advocates' Library at Edinburgh, the favourite poem of the *Cherry and the Slae*, and also a poem of Sir Richard Maitland of Ledinton, father to the famous Secretary Maitland, are entitled 'to be sung to the tune of *Banks of Helicon*.' This must have been a well known tune two hundred years ago, as it was sung to such popular words, but it is now lost. It cannot exist under other words, as the metrical stanza of the

Cherry and Slae is so particular, that I know no air, at this day, that could be adapted to it. We find in old books, many names of songs, of which the verses remain, yet of the tunes we now know nothing.

In the same way, most of King James I.'s poetical pieces are now lost, or cannot be distinguished as his; and some of them that remain, such as 'Christ's Kirk on the Green,' are even attributed to other authors.

It may be suspected from the above high-strained authorities, that his countrymen rather allowed themselves to be carried too far in setting out the qualifications of their king. I shall, however, produce the testimony of a foreigner, a celebrated author, who does James still more honour than the writers of his own country; and, singular as the proposition may appear, I shall endeavour to prove, that the Scots melodies, so far from being either invented or improved by an Italian master, were made the models of imitation in the finest vocal compositions of one of the greatest masters of composition in Italy.

The celebrated *Carlo Gesualdo, Prince of Venosa*, formerly *Venusium*, famous as being the birth-place of Horace, flourished about the middle, or towards the end of the 16th century, and died in 1614. Blancanus, in his Chronologia Mathematicorum, thus distinguishes him: 'The most noble Carolus 'Gesualdus, Prince of Venusium was the Prince of musicians of 'our age, he having recalled the *rythme* into music, introduced such a stile of modulation, that other musicians yielded 'the preference to him; and all singers and players on stringed instruments, laying aside that of others, every where 'eagerly embraced his music *.' He is also celebrated by Mersennus, Kircher, and almost all the writers of that age, as one of the most learned and greatest composers of vocal music in his time.

To apply this account of the Prince of Venosa to the subject in hand, Alessandro Tassoni, in his *Pensiri diversi, libro* 10. *cap.* 23. thus expresses himself: 'We may reckon among 'us moderns, James, King of Scotland, who not only compo'sed many sacred pieces of vocal music, but also of himself '*invented a new kind of music, plantive and melancholy, differ*'*ent from all other, in which he has been, imitated by Carlo* '*Gesualdo, Prince of Venosa*, who, in our age, has improved 'music with new and admirable inventions †'

* Sir John Hawkins, vol. 3. p. 212.

† Noi ancora possiamo connumerar tra nostri Jacopo Re di Scozia, che non pur cose sacre compose in Canto, ma trova da se stesso, una nuova musica, lamentevole e mesta, disserente da tutte l'altre. Nel che poi e stato imitato da Carlo Gesualdo Principe di Venosa, che in questa nostra eta ha illustrata anch' egli la musica con nuove mirabili invenzioni.

What an illustrious testimony this, to the excellency of our old Scots songs! Let us here do justice to the restorer of this record, who, next to Tassoni, deserves the thanks of every Scotsman. I mean the late Patrick Lord Elibank; for, although Tassoni is well known as a poet, particularly by his celebrated *Sechia rapita*, the first of the mock heroic poems among the moderns; yet his book *de diversi pensieri*, though printed near two centuries ago, and containing a great deal of learned and curious observation, is but little known on this side of the Alps; and that curious passage which so long had escaped the notice of every Scotsman, might quietly have slept in the dark repose of great libraries, had not the penetrating research of this acute and learned nobleman, about twenty years ago, produced it to light. From him I had a copy of that passage, since published by Sir John Hawkins and others. To return to our subject.

How would some of the *dilettante* in music, of the present times, sneer with contempt to be told, that the Italians, the patriarchs of modern music, owe the reformation of their music to the early introduction of Scottish melodies into it; yet nothing is more certain, as is proved not only from the candid acknowledgment of Tassoni, but from the testimony of the Italian music itself, before the Prince of Venosa's time.

It is at this day no longer a question, that the art of composition in parts, or what is called harmony, is the invention of the moderns; but by whom invented, or at what particular æra, is not so clear. As the cultivation of modern music was chiefly among the ecclesiastics, on account of the church-services daily in use to be sung by them, the rules of harmony undoubtedly took rise, and were improved among them. Guido d'Arezzo, a Benedictine monk, about the beginning of the 11th century, is by many authors said to have reformed the scale, by introducing the lines, and the notation on them by points, instead of the letters of the alphabet formerly in use; from which the name of *counterpoint*, for the art of composition in parts, is derived. From that period, it was by degrees improved, until it was brought to perfection, in the golden age of the restoration of other polite arts and sciences in Italy, the pontificate of Leo X. At this time flourished the venerable *Palestrina*, stiled the father of harmony; and, in the same age, though later than him, the Prince of Venosa mentioned above. As the productions of a harmonist, and thorough master of the art of counterpoint, the compositions of *Palestrina*, even at this day, strike us with admiration by their artful fugues, and the full and sublime harmony of their parts. In the church-stile, nothing except the grandeur and sublimity of the chorus's of the late great *Handel*, can exceed them; yet still in one great point the music of Palestrina is deficient. The head may be entertained with the

learning and artful contrivance of a well wrought *fugue*, or the mind elevated by the harmony of a full choir of voices; yet still melody or air is wanting.

To any person versant in the works of those great masters of harmony in Palestrina's time, there will appear the same stile, learning, and artful contrivance which runs through every species of their compositions, their *massa's motttei, canons*, and *madrigall's*, all of them are composed in the strict *canon*, or fugue stile.

I do not remember to have seen any *cantata*, or song of one part, of the age of Palestrina. The Italian music, for private entertainment, at that time, seems to have been the *madrigall's*, generally set to some favourite stanzas, or love verses of Petrarch Ariosto, or Tasso. It is composed in the fugue stile, for three or four parts, sung in the *alla breve* time. The madrigall, when well executed, by proper voices, is pleasant and soothing, but, deficient in air, soon becomes dull and tiresome.

In this state was the music of Italy when we may suppose the Scots melodies of James I. had found their way into that country. Will it then be wondered at, that such a genius as Carlo Gesualdo, should be struck with the genuine simplicity of strains which spoke directly to the heart? or, that he should imitate or adopt such new and affecting melodies, which he found were wanting in the music of his own country? I will venture to say, that the natural sweet and plaintive strains of *Jocky and Sandy*,—*Will ye go to the ewe bughts*,—*Be constant ay*, and many others of our old songs about that age, must touch the heart of every genius in every country, and might enrich the compositions of the greatest foreign master.

> Purpureus late qui splendeat unus et alter
> Adsuitur pannus. HOR.

Here let me stop! I hope we shall no longer hear the absurd tale of the Scots music being invented by an Italian, when we see it proved by so great an authority as Tassoni, that the Scots melodies, above two centuries ago, and in his time, had been adopted into the finest vocal compositions of one of the greatest masters and reformers of Italian music, the Prince of Venosa.

To return to the Scots songs. It is not to be doubted, that, under such a genius for music and poetry as King James I. the national music must have greatly improved. To his excellent talents, cultivated by education in England and France, during a long residence of 19 years, his country, at his return to it, in the year 1424, owes its cultivation and emergence from a state of rudeness. By the laws which he

enacted, the disorders of the preceding weak government were checked, politeness of manners, together with a taste for the liberal arts and sciences, were introduced by him. One great step to the improvement of the science of music, was the introduction by that prince (according to our historians), of organs into the cathedrals and abbeys of Scotland; and, of course, the establishment of a choral service of church music. As James is said to have been a fine performer on the lute and harp, on which he accompanied his own songs, the playing on these instruments must, by the Prince's example, have become fashionable, and, of course, a more refined and regular modulation of composition in the Scots songs introduced. The simple scale of the pipe, by the introducing of the stringed instruments, became, in consequence much enlarged, not only by a greater extent of notes, but by the division of them into semitones.

The great æra, as well of poetry as of music, in Scotland, I imagine, then, to have been from the beginning of the reign of James I. down to the end of that of James V. *. The old cathedrals and abbeys, these venerable monuments of Gothic grandeur, with the choristers belonging to them, according to the splendour of their ritual church service, were so many schools or seminaries for the cultivation of music. It must be owned, however, that, although the sciences of harmonic music was cultivated by the church composers, yet, as the merit of the church music, at that time, was in its harmony only, the fine flights, and pathetic expression of our songs, could borrow nothing from thence.

This was likewise the æra of chivalry. The feudal system was then in its full vigour. The Scottish nobility, possessed of great estates, with hereditary jurisdictions annexed to them, maintained, in their remote castles, a state and splendour little inferior to the court of their King. Upon solemn occasions, tilts and tournaments were often proclaimed, and held for many days with all the Gothic magnificence of chivalry, which drew numbers of knights and dames to these solemnities. James IV. and V. were both of them gallant and magnificent princes; they kept splendid courts, and were great promoters of these public entertainments. In the family of every chief, or head of a clan, the bard, or poet, was a very considerable person. His office was, upon solemn feasts, to

* Within this æra flourished Gavin Douglas, Bishop of Dunkeld, whose excellent translation of Virgil's Æneis may compare with Chaucer. His cotemporary, Bellenden Archdeacon of Murray, Dunbar, Henryson, Scot, and many others, whose fine poems have been preserved in Banatyn's excellent MS. collection, of which several were published in Allan Ramsay's Ever Green.

rehearse or sing the splendid actions of the heroes, ancestors of the family, which he accompanied with the touch of the harp. At this time too there were itinerant, or strolling minstrels, performers upon the harp, who went about the country, from house to house, upon solemn occasions, reciting heroic ballads, and other popular episodes. These wandering harpers are mentioned by John Major: 'In Cithara, Hibernenses 'aut silvestres Scoti qui in illa arte præcipui sunt.' To these sylvan minstrels, I imagine, we owe many fine old songs, which are more regular and varied in their melody as they come nearer to modern times, though still retaining their 'native wood-notes wild;' such as Busk ye, busk ye,—Waly, waly,—Willie's fair, and a still more refined modulation may, I think, be traced downwards, through the following songs: Leander on the bay,—Balow my boy,—Absence ne'er shall alter me,—Cromlet's lilt,—the Flowers of the forest,—Gilderoy,—the Gaberlunzie, and many others in the same stile. These, I imagine, might have been composed within the æra of James IV. V. and Queen Mary, and may be reckoned in the second class of Scots songs, in point of antiquity. In them, besides a more varied, regular, and refined melody, there is likewise an artful degree of modulation used in the introduction of the seventh of the key, as in Waly, waly,—the Flowers of the forest,—the bony Erle of Murray, and many other well known old songs. This strain is peculiarly characteristic of our old melodies, and has a fine and pathetic effect.

From these, by an insensible gradation, we are led to what I conjecture may be called the third epoch of our songs, that is, from Queen Mary to the Restoration. Within that space may be classed the following songs: Pinky House,—Ettrick Banks,—the Broom of Cowden-knows,—Down the burn Davie,—An thou wert mine ain thing,—Auld Rob Morris,—Where Helen lies,—Fy on the Wars,—Muirland Willie,—Katharine Ogie.

And, in the fourth and last class, from the Restoration to the Union, may be classed, the Bush aboon Traquair,—the last time I came o'er the Muir,—the Boatman,—Sae merry as we ha' been,—My Dearie, an thou die,—She rose and let me in,—Allan Water,—Love is the cause of my mourning,—Mary Scot,—Lass of Patie's mill,—Yellow-hair'd Laddie,—John Hay's bonny Lassie,—Tweedside, &c.

In thus classing the songs as above, it is obvious, that no fixed or certain rules can be prescribed. Some of these old songs, it is true, ascertain, of themselves, the precise æra to which they belong; such as, the Flowers of the Forest, composed on the fatal battle of Flowden, where the gallant James IV. and the flower of the Scottish nobility and gentry

fell; the *Souters* of Selkirk, composed * on the same occasion; Gilderoy, made on the death of a famous outlaw, hanged by James V. the bony Erle of Murray, slain by Huntlie in 1592. In general, however, in making those arrangements, besides the characters which I have mentioned, as I know of no other distinguishing marks for a fixed standard, the best rule I could follow was to select a few of the most undoubted ancient melodies, such as may be supposed to be the production of the simplest instrument, of the most limited scale, as the shepherd's pipe; and thence to trace them gradually downward, to more varied, artful, and regular modulations, the compositions of more polished manners and times, and suitable to instruments of a more extended scale.

After all, as fancy has a great share in those *arrangements*, *there is still a wide field* for the exertion of the powers of imagination on a subject, where only analogy, probability, and conjecture, can supply the defect of more solid proof.

I have hinted, that our Scots songs owe nothing to the church music of the cathedrals and abbeys before the Reformation; for, although music made a considerable part of the ritual church service, yet, from some of their books, which have escaped the rage and havock of the Reformers, we find their music to have consisted of harmonic compositions, of four, five, often of six, seven, and eight parts, all in strict counterpoint. Such were perfectly suitable to the solemnity of religious worship; and, when performed by a full choir of voices, accompanied by the organ, must undoubtedly have had a solemn and awful effect upon a mind disposed to devotion. Church music has nothing to do with the passions. The stile of such composition is to calm the mind, and inspire devotion, suitable to the Majesty of that Being to whom it is addressed. Nothing, however, can be more opposite than such harmonic compositions to the genius of love-songs, which consist in the simple melody of one single part.

It is a common tradition, that, in ridicule of the cathedral

* This ballad is founded on the following incident: Previous to the battle of Flowden, the town-clerk of Selkirk conducted a band of eighty *souters*, or shoe-makers, of that town, who joined the royal army; and the town-clerk, in reward of his loyalty, was created a knight-banneret by that Prince. The example given on that fatal day by the Earl of Hume, did not infect his vassals, the souters of Selkirk. They fought gallantly, and were mostly cut off. A few who escaped found, on their return, in the forest of Lady Wood-edge, the wife of one of their brethren, lying dead, and her child sucking her breast. Thence the town of Selkirk obtained, for their arms, a woman sitting upon a sarcophagus, holding a child in her arms: in the back ground a wood, and on the sarcophagus the arms of Scotland.

service, several of their hymns were by the wits among the reformed, burlesqued, and sung as profane ballads. Of this there is some remaining evidence. The well known tunes of 'John come kiss me now,' and 'Kind Robin lo'es me,' are said to be of that number.

At the establishment of the Reformation, one of the first pious works of the reformed clergy was to translate into Scots metre, the Psalms of David, and to introduce them into the kirks, to be sung to the old church tunes. John Knox's book of Psalms, called the common tunes, is still extant, and sung in the churches, and consists of four parts; a treble, tenor, counter-alt, and bass. The harmony of these tunes is learned and full, and proves them to be the work of very able masters in the counterpoint.

In order, however, to enlarge the psalmody, the clergy, soon after, were at pains to translate, into Scots metre, several parts of scripture, and some old Latin hymns, and other pieces. At the same time, as they had no objections to the old music, they made an effort to reclaim some of those tunes from the profane ballads into which they had been burlesqued, and sung by the vulgar.

A collection of these pieces were printed at Edinburgh about 1590, by Andro Hart, in old Saxon, or black letter, under the title of, A Compendious Book of *Godly and spiritual songs, collected out of sundrie parts of the Scripture, with sundrie of other ballads, changed out of prophane sangs, for avoiding of sinne and harlotrie, &c.*

Amongst these ballads, John come kiss me now, makes his appearance, stripped, indeed, of his *profane dress*, which had promoted *sinne and harlotrie;* but, in exchange, so strangely equipped in his *penitential habit*, as to make a more ludicrous figure than his brother Jack, in the Tale of a Tub. As a curiosity, I shall give two or three of the stanzas of this new converted Godly ballad.

John come kiss me now,
John come kiss me now,
John come kiss me by and by,
And mak na mair adow.

The Lord thy God I am
That (John) does thee call
John, represents man,
By grace celestial.

My prophets call, my preachers cry,
John come kiss me now,

John come kiss me by and by,
And mak na mair adow *.

If the other tunes preserved of the old church music, were in the same stile of John come kiss me now, our fine old melodies, I think, could borrow nothing from them. I shall conclude this essay with a few observations on the Scots songs.

The Scots melodies contain strong expression of the passions, particularly of the melancholy kind, in which the air often finely corresponds to the subject of the song. In this, I conjecture, the excellency of the ancient Greek music consisted, of which we are told such wonderful effects. The Greek musicians were also poets, who accompanied their own verses on the harp. Such likewise was the Saxon Alfred; and in the same light we may see our James I. who both of them accompanied their own poems on the lute or harp. Terpander is said to have composed music for the Iliad of Homer. Ti-

* In the year 1765, some of the pieces contained in this book were printed in Edinburgh, with the title of, A Specimen of a Book, entitled, A Compendious Book of Godly and Spiritual Songs, &c. But, as the above, and many others in the same stile, are omitted, I shall give a further specimen of this curious book of devotion in the following stanzas.

Till our Gude man,
Till our Gude man,
Keep faith and luve,
Till our Gude man;

For our Gude man
In heaven does reign,
In glore and bliss,
Without ending.

Where angels sing
Ever hosan,
In laud and praise
Of our Gude man, &c.

Who is at my windo, who, who.
Go from my windo, go, go.
Who calls there, so like an stranger?
Go from my windo, go.

Lord I am heir ane wretched mortal,
That for thy mercy dois cry and call.
Mercy to have thou art not worthy.
Go from my windo, go, &c.

——To laugh were want of Godliness and grace,
And to be grave exceeds all power of face.

POPE.

What a strange medley of canting absurdity and nonsense! Such shocking indecent familiarity, under the name of Devotion! This was the leven, which, fermenting into that wild spirit of fanaticism, in the following age, involved the nation in blood, and overturned the state of the three kingdoms.

motheus played and sung his own lyrical poems; and the poet Simonides his own elegies.

"Quid mœstius lacrymis Simonidis!"

Exclaims, with rapture, Catullus; and, inspired with the genius of music, in this fine apostrophe, cries out our great poet!

And, O sad Virgin! could thy power
But raise Museus from his bower;
Or bid the soul of Orpheus sing,
Such notes as warbled on the string,
Drew iron tears down Pluto's cheek,
And made hell grant, what love did seek.

Let us acknowledge the excellency of the Greek music; yet, as the principles of harmony, or composition in parts, seem not to have been known to them, at least as far as has yet been discovered, this excellency of their music must have resulted from the natural melody of their airs, expressive of the words to which they were adapted. In this light, therefore, we may run a parallel between the ancient Greek music, and our Scots melodies; and, in spite of the prejudiced fondness which we are apt to conceive in favour of the ancients, it is probable, that we do the best of their music no hurt in classing it with our own.

What person of taste can be insensible to the fine airs of—I'll never leave thee,—An thou wer't mine ain thing,—The Braes of Ballendine, &c. when sung with taste and feeling!

Love, in its various situations of hope, success, disappointment, and despair, are finelly expressed in the natural melody of the Scots songs. How naturally does the air correspond with the following description of the restless languor of a maid in love:

Ay wa'king oh!
Wa'king ay and wearie;
Sleep I canna get,
For thinking o' my dearie.

When I sleep, I dream;
When I wake, I'm irie *:
Rest I canna get,
For thinking o' my dearie.

How soothing and plaintive is the old lullaby of a forsaken mistress over her child, expressed in Lady Anne Bothwell's lament? How romantic the melody of the old love ballad of Hero and Leander! What a melancholy love story is told in

* *Irie* is a Scots word that has no correspondent term in English. It implies that sort of fear which is conceived by a person apprehensive of apparitions.

the old song of Jocky and Sandy! and what frantic grief expressed in—I wish I were where Helen lies!

It were endless to run through the many fine airs expressive of sentiment and passion, in the number of our Scots songs, which, when sung in the genuine natural manner, must affect the heart of every person of feeling, whose taste is not vitiated and seduced by fashion and novelty.

As the Scots songs are the flights of genius, devoid of art, they bid defiance to artificial graces and affected cadences. A Scots song can only be sung in taste by a Scots voice. To a sweet, liquid, flowing voice, capable of swelling a note from the softest to the fullest tone, and what the Italians call a *voce di petto*, must be joined sensibility and feeling, and a perfect understanding of the subject, and words of the song; so as to know the significant word on which to swell or soften the tone, and lay the force of the note. From this want of knowledge of the language, it generally happens, that to most of the foreign masters, our melodies, at first, must seem wild and uncouth; for which reason, in their performance, they generally fall short of our expectation. We sometimes, however, find a foreign master, who, with a genius for the pathetic, and a knowledge of the subject and words, has afforded very high pleasure in a Scots song. Who could hear with insensibility, or without being moved in the greatest degree, Tenducci sing, —I'll never leave thee,—or the Braes of Ballendine!

It is a common defect, in some who pretend to sing, to affect to smother the words, by not articulating them, so as we scarce can find out either the subject, or language of their song. This is always a sign of want of feeling, and a mark of a bad singer; particularly of Scots songs, where there is generally so intimate a correspondence between the air and subject. Indeed, there can be no good vocal music without it.

The proper accompaniment of a Scots song, is a plain, thin, dropping bass, on the harpsichord or guittar. The fine breathings, these heart-felt touches, which genius alone can express in our songs, are lost in a noisy accompaniment of instruments. The full chords of a thorough bass should be used sparingly, and with judgment, not to overpower, but to support and raise the voice at proper pauses.

Where, with a fine voice, is joined some skill and execution on either of those instruments, the air, by way of symphony, or introduction to the song, should always be first played over; and, at the close of every stanza, the last part of the air should be repeated, as a relief for the voice, which it gracefully sets off. In this symphonic part, the performer may shew his taste and fancy on the instrument, by varying it *ad libitum*.

A Scots song admits of no cadence; I mean by this, no fanciful or capricious descant upon the close of the tune.

There is one embellishment, however, which a fine singer may easily acquire; that is, an easy shake. This, while the organs are flexible in a young voice, may, with practice, be easily attained.

A Scots song thus performed, is among the highest entertainments to a musical genius. But is this genius to be acquired either in the performer or hearer? It cannot. Genius in music, as in poetry, is the gift of heaven. It is born with us; it is not to be learned.

An artist on the violin may display the magic of his fingers, in running from the top to the bottom of the finger-board, in various intricate *capricio's*, which, at the most, will only excite surprise; while a very meddling performer, of taste and feeling, in a subject that admits of the pathos, will touch the heart in its finest sensations. The finest of the Italian composers, and many of their singers, possess this to an amazing degree. The opera airs of these great masters, *Pergolese*, *Jomelli*, *Galuppi*, *Perez*, and many others of the present age, are astonishingly pathetic and moving. Genius, however, and feeling, are not confined to country or climate. A maid, at her spinning-wheel, who knew not a note in music, with a sweet voice, and the force of a native genius, has oft drawn tears from my eyes. That gift of heaven, in short, is not to be defined; it can only be felt.

I cannot better conclude this essay, than in the words of one who possessed it in the most exalted degree. Addressing himself to a young composer, he speaks thus: "Seek not to know what is *genius*. If thou hast it, thy feelings will tell thee what it is. If thou hast it not, thou never wilt know it. The genius of the musician subjects the universe to its power. It draws its pictures by sounds. It expresses ideas by feelings, and feelings by accents. We feel in our hearts the force of the passions which it excites. Through the medium of genius, pleasure assumes additional charms, and the grief which it excites breaks forth into cries. But, alas! to those who feel not in themselves the spring of genius, its expressions convey no idea. Its prodigies are unknown to those who cannot imitate them. Wouldst thou know if thou art animated with one spark of that bright fire? Run, fly to Naples, and there listen to the master-pieces of *Leo*, *Durante*, *Jomelli*, *Pergolese*. If thine eyes are filled with tears, thy heart palpitates, thy whole frame is agitated, and the oppression of transport arises almost to suffocation; take up *Metastasio*, his genius will inflame thine own, and thou wilt compose after his example. These are the operations of genius, and the tears of others will recompense thee for those which thy masters have caused thee to shed.

" But, if thou art calm and tranquil, amidst the transports of that great art; if thou feelest no dilirium, no extasy; if thou art only moved with pleasure, at what should transport thee with rapture, dost thou dare to ask what genius is? Profane not, vulgar man, that name sublime? What does it import thee to know what thou canst never feel * ?"

No. IX.

Parliamentum tentum 18. Martii 1481.

22 Martii quinto die parliamenti, Domino Rege sedente in trono justiciae.

ASSISA.

Comes Atholiæ
Comes de Morton
Dominus Glammis
Dominus Erskine
Dominus Oliphant
Dominus Cathkert
Dominus Gray
Dominus Borthwick
Dominus de Stobhall
Dominus de Drumlanrig
Dominus Maxwell
Willielmus Borthwick, Miles
Alexander Magister de Crawfurd.
Silvester Ratray de Eodem
Robertus Abercrommy de Eodem, Miles
David Moubray de Bernbougale, Miles.

Accusatio super † Roberto Domino Lile per rotulos, ut sequitur:

ROBERT Lord Lile, yhe are dilatit to the King's heines that yhe have sent lettres in England to the tratour James of Dowglace, and to uthir Inglismen in tressonable maner; and also resavit lettres fra y^e^ said tratour, and fra uthir Inglismen in tressonable maner, and in furthering of y^e^ King's enemys of Ingland, and prejudice and skaith to our soverane Lord y^e^ King, his realme and liegis.

Quæ assisa suprascripta præsentia supremi Domini nostri Regis jurata, et de ipsius mandato super dictam accusationem

* Rousseau, sous le mot genie.
† Law Tracts, p. 441.

cognoscere per eundem supremum Dominum nostrum Regem mandata, remota et reintrata, deliberatum est per os Joannis Drummond de Stobhall, nomine et ex parte dictæ assisæ et prolocutorio nomine ejusdem, Dictum Robertum Dominum Lile quietum fore et immunem et innocentem accusationis et calumpniationis suprascript. Super quibus dictus Robertus Dominus Lile petiit notam curiæ parliamenti et testimonium sub magno sigillo ejusdem Domini nostri Regis sibi dari super præmissis, quodquidem testimonium idem Dominus Rex sibi concessit, darique mandavit eidem in forma suprascripta et consueta."

That the Lords, chosen for discussing of domes, acted as a jury, or as assessors to the King, and not as judges, is made still clearer from the following trial preserved also in the Advocates' Library.

Parliamentum tentum 1. Julii 1476.

" Septimo die mensis Octobris anno suprascript. datum fuit judicium infrascript. per os Alexandri Dempstar judiciarii parliamenti in præsentia serenissimi principis et S. D. N. Regis suprascripti, cum corona * in capite suo, et sceptro in manu, sendente in cathedra justiciæ parliamenti sub hac forma.

The Lordis chosin be the thrie estates in yhis present parliament, upoun the discussing of the domes, decerne and declares, that the dome given in y^e^ justice aire of Edinburgh, the xii day of July last by past, by the mouth of Andro Blacfurd, soytour for y^e^ land of Lochmivore for John of Douglas, and Jonet of Rynd, his spous, and agane callit be David Balfour of Carradstoun, forspekar for Archibald of Dundas of that ilk, knight, was evil gevin and weill agane stud, for divers reasonnis understandin and shawn to the saidis Lordis. And, thairfoir, ilk soytour of the said dome, and their Lords, ilk man be himself, is in ane amerciament of y^e^ court of parliament, sic as effeirs to be taken in ye said justice air, and in ane unlaw of the parliament, amangis them, all sic effeirs of law. AND THIS I GIVE FOR DOME."

* Minutes of Parliament, Council and Exchequer, collected by E. Haddington, MS. Advocates' Library.

No. X.

The order observed at the Coronation of Sir Alexander Areskine of Cambo, Baronet, Lord Lyon King of Arms, at the Royal Palace of Holyrood-house, on the 27th day of July 1681. *His Royal Highness James Duke of Albany and York being his Majesty's High Commissioner.*

I. THE chair of state being placed upon a throne of two steps in height, under the royal canopy, in the chamber of presence, and the imperial crown, sceptre, and sword of state, being placed on a table before the throne, the said table covered with purple velvet fringed with gold, his Majesty's High Commissioner was conveyed by the officers of state, and the nobility, to the throne, when he sat down in the chair of state, the nobility standing on each side.

II. Then Sir Alexander Areskine was introduced in this manner:

1. The King's six trumpets in their coats, two and two, sounding.

2. The six pursuivants at arms in their coats, two and two.

3. The six heralds in their robes, two and two, the last five bearing the Lord Lyon's regalia thus; the eldest his crown, the second his robe, the third his surcoat, the fourth his collar of gold and medal pendant; the said collar being composed of three rows, and the fifth his batoon.

III. Mr Robert Innes, Lyon-depute, bearing his patent under the great seal.

IV. The master of the ceremonies.

V. The Lord Lyon, supported by two baronets, *to wit*, Sir William Sharp of Scotscraig, and Sir John Maitland, and attended with the six macers on either side, with their silver maces.

VI. Then having three several times done their homage to his Majesty's High Commissioner, viz. at the door, in the middle of the chamber, and before the throne, those who carried the patent and regalia drew near to the chair of state; the rest of the heralds and pursuivants retired to the windows, and the trumpets to a place allotted for them.

VII. The master of the ceremonies brought the Lord Lyon to his Majesty's High Commissioner, and he kneeled down before him on a velvet cushion, and was dubbed knight with the sword of state.

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VIII. The master of the ceremonies called for the patent under the great seal, and gave it to one of the clerks of the privy council, who read it aloud. He then delivered it to his Royal Highness, and from him to the Lord Lyon, shewing him the King's pleasure, his duty, and the importance of the honour conferred upon him by so gracious a master.

IX. His Royal Highness caused the Lord Lyon to swear the oath of allegiance, and take the declaration, the same being read by one of the clerks of the privy council.

X. The master of the ceremonies took the surcoat of arms, and gave it to his Royal Highness, who, with his assistance, put it on the Lord Lyon, his Highness saying, *I do vest you with this coat and robe of your office during all the days of your lifetime, which you shall wear on all honourable occasions, keeping the same free from all spot of treason, villany, and disgrace.*

XI. The master of the ceremonies took the crown, and delivered the same to his Royal Highness, who put it on the Lord Lyon's head, saying, *In the name of his most sacred Majesty the King, I crown you,* Sir Alexander Areskine of Cambo, *Bart. Lyon King of Arms throughout all the kingdom of* Scotland, *and the isles, colonies, and dependencies thereunto belonging, with all the powers, privileges, liberties, honours, and dignities belonging to that office.*

XII. The master of the ceremonies gave the batoon to his Royal Highness, who, delivering it to the Lord Lyon, said, *I deliver to you this batoon of your office, in token of that command and regal authority which his Majesty gives you over all who bear his Majesty's arms under you in this kingdom of* Scotland.

XIII. The master of the ceremonies gave the collar to his Royal Highness, who put it about the Lord Lyon's neck, saying, *This royal token, and badge of your master's favour, I give you, to be worn by you all the days of your life, in token of your precedency before all others of under degree and quality, in consequence of your good and faithful services done, and to be done.*

XIV. Then his Royal Highness blessed the Lord Lyon, and took his oath in the terms following:

THE OATH.

'I shall defend the Catholic faith to the uttermost of my 'power. I shall be leal and true, secret and serviceable, to 'our Sovereign Lord the King, and to all estates, *that is to* 'say, to Emperors, Kings, Princes, Archdukes, Dukes, Mar-'quisses, Earls, Viscounts, Lords, or Barons, Knights, Es-'quires, Gentlemen, Ladies, widows, and maidens of good 'fame, and shall forward their lawful business upon their ex-'pence; and, what ambassage or message I take in hand to

'do, I shall do the same truly, without adding or taking from. 'I shall forbear all open vices, common bordells, common 'hazard, and common drinking in taverns.

'I shall fortify and defend the privileges of the noble office 'of arms with all my power, and shall never reveal any man's 'secrets, treason excepted.

'I shall observe and keep all the forenamed points. So 'help me, God; and by my part of Paradise.'

XV. Then one of the heralds, with sound of trumpet, proclaimed out of one of the windows, Sir Alexander Areskine of Cambo, Bart. Lyon King at Arms, throughout all the kingdom of Scotland, and the isles and dependencies thereunto belonging, with all the honours and privileges that to this office appertain.

XVI. His Royal Highness, taking the Lord Lyon by both hands, raised him, who, taking off his crown, gave his Highness his humble thanks, and then cried aloud, 'A largess of 'the Most High and Mighty Monarch, Charles, by the 'Grace of God, King of Scotland, England, France, and 'Ireland, defender of the faith,' &c.

XVII. Then by sound of trumpets, all the heralds and pursuivants proclaimed the same words out of the windows.

XVIII. The Lord Lyon in his robes, collar, and crown, with the batoon of command in his hand, was attended back to the chamber from whence he came, in the same order as before, the heralds and pursuivants proclaiming round the court in their return, 'A Largess, *ut supra* *.'

No. XI.

Order of the Procession at the Funeral of the Right Honourable Alexander Kincaid, Esq. Lord Provost of the City of Edinburgh.

SIX Batoon men to clear the way, two and two.
Four Mutes, two and two.
Six Ushers bare headed, two and two.
Citizens, four and four.
Gentry, four and four.
Nobility, four and four.

* The ceremony of the Lord Lyon's coronation did formerly begin with a sermon preached in the chapel-royal, by the Dean, before the King or his commissioner, and the nobility; the ceremony being accompanied with vocal and instrumental music.

The Constables, three and three, their short batoons in their right-hands.
The Moderator Constable in their rear.
The Ensigns, Lieutenants, and Captains of the Train Bands, three and three, with mourning Swords and Cockades.
The Commandants in the rear of their respective Corps.
The Society of Barbers, four and four. The preses in their rear.
The Fourteen Incorporations, according to their Precedency, four and four. The Deacons behind their respective Corporations. The Officers before.
The Deacon Convener.
The Company of Merchants, four and four. The Twelve Assistants, two and two, in their rear. The Master behind them.
The Professors of the University, in their gowns, two and two, preceded by the University-mace. The Principal in their rear.
The Established Clergy of the City, in their Gowns and Bands, two and two. The Senior Clergyman in their rear.
Two Maces.
Pursuivants, two and two.
The Trades-Counsellors, and the Merchant-Counsellors, in their Gowns.
The old Magistrates, and the present Magistrates, in their robes.
The City-sword of State, covered with Crape, the Point towards the Ground; on the right, the City-mace; on the left, another Mace; each Mace carried nearly level, in the right-hands of the Macers.
Heralds, two and two.
A person in deep Mourning, bare-headed, bearing the Rod of Office levelled before him.
The Lord Provost's Robe, covered with Crape, carried by the City's Wardrobe-keeper; on each side of which, and of the Sword and Maces, four Batoon-men.

The city-officers, their Halberts reversed.

Earl of Hume.
Thomas Hay, Esq.
Walter Campbell, Esq.
Robert Ker, Esq.
Marquis of Lothian.

The COFFIN. Above the pall the chain and medal. The pall borne by

Duke of Buccleuch.
Lord Hailes.
Geo. Fergusson, Esq.
Mr John Bell.
Rev. Robert Bell.

The city-officers, their Halberts reversed.

Chief Mourner,
Nath. Spens, M. D. Alexander Kincaid, Esq. James Stodart, Esq. the deceased's only son.
Relations and Friends of the Deceased.
His Lordship's Servants.
The City-guard, in funeral order. The Officers Scarfs covered * with crape; the Drums, with black cloth, beating the dead march.

No. XII.

(First, at the foot of a page, fifteen persons names are mentioned, as being concerned with some transaction; then, upon turning the page, the Record proceeds as follows.)

Ane quit for slauchter in his awin defence maid 1514.

THE 24th day of October, anno suprascript. Alexander Levingstoune indytit and accuset for the art and pairt of the creuall slauchter of umquhile Jak, upoun the Burrow-muir of Edinburgh, in this last month of September bypast. The quhilk accusation was put to the knawledge of *ane assyse above written*. Thai beand removit furth of court, and agane in enterit, they fand and deleverit the said Alexander quit and innocent of ye said slauchter; because thai cleirlie knew it was in his pure defence. John Levingstoune petiit instrumenta. Testibus Patricio Barroun et Johanne Irland Ballivis, Magistro Jacobo Wischeart de Pitgarro clerico Justiciario S. D. N. Regis, Waltero Chepman † Decano Gild, Johanne Adamson juniore, Jacobo Barroun, Patricio Flemyng et multis aliis; Council Register, v. 1. p. 6.

* For what reason the city's assessors, and the rector and masters of the high-school, were omitted in this procession, we know not. We have only to observe, upon the whole ceremony, that the object which should have made the most striking appearance, seemed the most mean and insignificant. After the pomp which had preceded, nothing could appear more futile and miserable, than the body borne upon mens shoulders, and simply covered with a pall of black velvet. It ought to have been borne under a canopy, adorned with plumes, and escutcheons of the city's arms, impalled with those of the deceased.

† This Chepman was the first who made a book be printed in Scotland.

This is the earliest trial to be found in the records of the city of Edinburgh. A question arises from it, In what character were these persons who are mentioned as *testibus?* If witnesses to the fact, or alledged murder, it was strange, that the prisoner should have been obliged to kill a man in self-defence, upon a heath, in presence of such a number of people of some distinction. If witnesses to the instrument of acquittal, it was strange, that so many witnesses to what was done in the court, should be recorded; yet not the names of the judges nor witnesses to the alledged murder. If judges, (and several of them were city-judges, and one of them a judge of Justiciary,) why were they called *testibus*, instead of *judicibus?* Why were they such a motley set, and so many of them?

No. XIII.

The following Letters, which appeared at Edinburgh in December 1783, *illustrate many peculiarities of the manners of that metropolis, and, as such, are judged proper to have a place in this Appendix. A few alterations have been made since their first publication.*

LETTER I.

Eheu! fugaces labuntur anni! HOR.
Tempora mutantur, et nos mutamur.

I HAVE often thought, that it might not only be entertaining, but useful, to remark from time to time, the vicissitudes of manners in society; and, by comparing the present with the past, to examine, whether, as a people, or as individuals, we were improving or declining. It is frequently difficult to assign a reason for the revolutions which take place in the manners of a country, or to trace the causes that have occasioned a change; but, in all cases, the first step towards investigating the cause, is to state the facts. A plan of this kind, frequently repeated, might be of great utility, by leading to cultivation and improvement in some things, and to correction or prohibition in others; while it would, at the same time, afford a valuable fund of facts for the philosopher, the historian, or the annalist.

Every person who remembers but a few years back, must

be sensible of a very striking difference in the external appearance of Edinburgh, and also in the mode of living, and manners of the people.

Let us state a comparison, for instance, no further back than between the year 1763 and the year 1783; and many features of the present time will probably appear prominent and striking, which, in the gradual progress of society, have passed altogether unnoticed, or have been but faintly perceived. So remarkable a change is not perhaps to be equalled in so short a period in any city of Europe; nor in the same city for two centuries, taking all the alterations together.

In 1763—Edinburgh was almost confined within the city-walls. Nicolson's Street and Square, Chapel Street, the greatest part of Bristo Street, Crichton Street, George's Square, Teviot-Row, Buccleuch Street, St Patrick's Square, &c. &c. to the south, were fields and orchards. To the north, there was no bridge; and (till of late) the New Town, with all its elegant and magnificent buildings, squares, rows, courts, &c. did not exist. It may with truth be said, that there is not now in Europe a more beautiful terrace than Prince's Street; nor a grander or more elegant street than George Street.

It is a moderate calculation to say, that three millions Sterling have been expended on building and public improvements in and about Edinburgh since 1763. The environs of Edinburgh cannot be surpassed in views of the sublime, picturesque, and beautiful.

In 1763—People of quality and fashion lived in houses, which, in 1783, are inhabited by tradesmen, and people in humble and ordinary life. The Lord Justice Clerk Tinwald's house was lately possessed by a French Teacher—Lord President Craigie's house is at present possessed by a Rouping-wife or Sales-woman of old furniture—and Lord Drummore's house was lately left by a Chairman for want of accommodation *.

In 1786—A bridge to the south, over the Cowgate Street, was built, and the areas for building shops and houses on the east and the west side of it, sold higher than perhaps ever was known in any city, even than in Rome, in the most flourishing times of the republic or the empire, *viz.* at the rate of no less than L.96,000 *per* acre! and some even at the rate of L.109,000 *per* acre! In 1790 the area at the east end of Milne's Square sold for above L.151,000 *per* acre!!

The foundation-stone of the new South Bridge was laid on

* The house of the Duke of Douglas at the Union, is now possessed by a wheel-right. Oliver Cromwell once lived in the present gloomy Sheriff-Clerk's Chamber. The great Marquis of Argyle's house, in the Castle-hill, is possessed by a hosier, at L.12 *per annum.*

the 1st of August 1785. The Bridge, consisting of 22 arches, was built—the houses on both sides were finished—the shops occupied—and the street opened for carriages in March 1788.

In 1783—A communication near the Castle, between the Old and the New City, was begun by means of an immense mound of earth, above 800 feet in length, across a deep morass, and made passable for carriages in three years, during which time the mound sunk at different periods in the middle above 25 feet. 1800 cart-loads of earth, upon an average, were daily laid on this mound.

In 1786—The valued rents of houses in Edinburgh, which pay cess or land-tax, are more than double what they were in 1763 *, and are daily increasing.

In 1763—The revenue of the Post Office of Edinburgh was reckoned about L.11,000 *per annum*.

In 1783—The same revenue was L.40,000.

In 1763—There were two stage-coaches, with three horses, a coachman, and postilion, each, which went to Leith every hour from eight in the morning till eight at night, and consumed the hour upon the stage: there were no other stage-coaches in Scotland, except one, which set out once a month for London, and it was sixteen or eighteen days upon the journey.

In 1783—There were four or five stage-coaches to Leith every half-hour, which run it in 15 or 20 minutes: DUNN, who now has the magnificent hotels in the New Town, was the first person who attempted a stage-coach to Dalkeith, a village six miles distant: there are now stage-coaches, flies, and diligences, to every considerable town in Scotland, and to many of them two, three, or four: to London, there are no less than sixty stage-coaches monthly, or fifteen every week, and they reach the capital in four days: and, in 1786, two of these stage-coaches reach London in *sixty hours*, by the same road that required *sixteen* or *eighteen days* for the established stage-coach in 1763.

In 1763—The hackney-coaches in Edinburgh were few in number, and perhaps the worst of the kind in Britain.

In 1783—The number of hackney-coaches was more than

* In 1635—The rents within the city were	L.19,211	10	0
In 1688,	24,333	6	8
In 1751,	31,497	0	0
In 1783,	54,371	0	0
In 1786—The valued rents were above	66,000	0	0

N. B.—One fifth is deducted from the real rent in stating the cess—Leith is not included in the above, though now one city with Edinburgh; nor any of the streets and squares to the south. The valuation is confined to the royalty only.

tripled, and they are the handsomest carriages, and have the best horses for the purpose, without exception, in Europe.

In 1783—Triple the number of merchants, physicians, surgeons, &c. keep their own carriages, that ever did in any former period.

In 1783—Several Presbyterian ministers in Edinburgh, and Professors in the University, kept their own carriages; a circumstance which, in a circumscribed walk of life as to fortune, does honour to the literary abilities of many of them, and is perhaps unequalled in any former period of the History of the Church of Scotland, or of the University.

In 1763—Literary property, or authors acquiring money by their writings, was hardly known in Scotland: David Hume, and Dr Robertson had indeed, a few years before, sold some of their works; the one, a part of the History of Britain, for L.200; the other, the History of Scotland, for L 600 —two vols. in quarto, each.

In 1783—The value of literary property was carried higher by the Scots than ever was known among any people. David Hume received L.5000 for the remainder of his History of Britain; and Dr Robertson, for his second work, received L.4500. In sermon writing, the Scots have also excelled; and although, in 1763, they were reckoned remarkably deficient in this species of composition, yet, in 1783, a minister in Edinburgh wrote the most admired sermons that ever were published, and obtained the highest price that ever was given for a work of the kind.

N. B. The merit of these Sermons obtained for Dr Blair a pension of L.200 per annum.

Previous to 1763, the Scots had made no very distinguished figure in literature as writers, particularly in the department of History and Belles Lettres. Lord Kames had, the year before, published his Elements of Criticism. Hume and Robertson had made their first essays in the walk of History, a short time before, as mentioned above.

In 1783—The Scots have distinguished themselves in a remarkable manner in many departments of literature; and, within the short period of twenty years, the names of Hume, Robertson, Orme, Henry, Tytler, Watson, Kames, Reid, Beattie, Oswald, Ferguson, Smith, Monboddo, Gregories (father and son), Cullen, Homes (poet and physician), Monro, Hunter, Stewart, Blair, Mackenzie, Campbell, Gerard, Millar, Macpherson, Brydone, Moore, Stuart, Arnot, Mickle, Gillies, and many other eminent writers, too long to enumerate, have appeared.

In 1786—Edinburgh has produced two periodical papers, the Mirror, and the Lounger, which have been more admired, than perhaps any of the kind since the Spectator,

Previous to 1763—The Scots had not distinguished themselves remarkably as public speakers in the House of Commons.

In 1783—The Scots have had more than their proportion of distinguished speakers in the House of Commons. Wedderburn (Lord Loughborough), Sir Gilbert Elliot, Johnstons, Sir A. Fergusson, Erskines, Dempster, Adam, Maitland, Dundas, &c. &c.

In 1763—There were 396 four-wheeled carriages entered to pay duty, and 462 two-wheeled.

In 1783—There were 1268 four-wheeled carriages entered to pay duty, and 338 two-wheeled.

In 1763—Few coaches or chaises were made in Edinburgh; the nobility and gentry, in general, brought their carriages from London; and Paris was reckoned the place in Europe where the most elegant carriages were made.

In 1783—Coaches and chaises are constructed as elegantly in Edinburgh as any where in Europe: many are yearly exported to Petersburgh, and the cities on the Baltic; and there was lately an order from Paris to one Coachmaker in Edinburgh, for one thousand crane-necked carriages, to be executed in three years.

In 1763—There was no such profession known as an Haberdasher.

In 1783—The profession of an Haberdasher (which signifies a Jack of all trades, including the Mercer, the Milliner, the Linen-draper, the Hatter, the Hosier, the Glover, and many others), is nearly the most frequent in town.

In 1763—There was no such profession known as a Perfumer: Barbers and Wigmakers were numerous, and were in the order of decent burgesses: Hair-dressers were few, and hardly permitted to dress on Sunday; and many of them voluntarily declined it.

In 1783—Perfumers have splendid shops in every principal street; some of them advertise the keeping of bears, to kill occasionally, for greasing ladies' and gentlemans' hair, as superior to any other animal fat. Hair-dressers are more than tripled in number, and their busiest day is Sunday; and there is a Professor who advertises a Hair-dressing Academy, and lectures on that *noble and useful art.*

In 1763—There was no such thing known, or used, as an umbrella; but an eminent surgeon, who had occasion to walk about much in the course of business, made use of one about the year 1780; and in 1783, umbrellas are almost as frequent as shoes and stockings, and many umbrella warehouses are opened.

In 1763—There were no oyster cellars, or, if one, it was for the reception of the lowest rank.

In 1783—Oyster cellars * are numerous, and are become places of fashionable resort, and the frequent rendezvous of dancing parties, or private assemblies.

In 1783—There are also dancing schools for servants and tradesmen's apprentices.

In 1763—A stranger coming to Edinburgh was obliged to put up at a dirty uncomfortable inn, or to remove to private lodgings. There was no such place as an Hotel; the word, indeed, was not known, or only intelligible to French scholars.

In 1783—A stranger may be accommodated, not only comfortably, but most elegantly, at many public hotels; and the person who, in 1763, was obliged to put up with accommodation little better than that of a waggoner or carrier, may now be lodged like a prince, and command every luxury of life. His guinea, it must be owned, will not go quite so far as it did in 1763.

In 1763—The number of boys at the High School were not 200.

In 1783—The number of boys at the High School were about 500, the most numerous school in Britain.

The half of an Edinburgh Newspaper, which sold in the year 1740 for L.36, and could have been purchased in 1763 for L.100, sold in 1783 for L.1300.

In 1763—The Society of Cadies † was numerous; they were useful and intelligent servants of the public, and they would have run an errand to any part of the city for a penny.

In 1783—The Cadies are few, and these generally pimps, or occasional waiters at taverns. They have the impudence to expect sixpence where they formerly got a penny; and the only knowledge there is of there being an incorporated society, is by some of the principal ones tormenting strangers and citizens the whole year through with a box, begging for their poor.

In 1763—The wages to maid-servants were, generally, from L.3 to L.4 4s. a-year. They dressed decently, in blue or red cloaks or plaids, suitable to their station.

In 1783—The wages are nearly the same, but the dress and appearance are greatly altered, the maid-servants being almost as fine in their dress as their mistresses were in 1763. They have now silk cloaks and caps, ribbons, ruffles, flounced petticoats, false hair, cork rumps, &c. Their *whole year's wages*, are insufficient for rigging out most of them for one

* Or taverns taking that name.

† Men who bear a ticket or badge, who run messages, sell pamphlets, and attend strangers by the day or hour as servants. They are incorporated under regulations of the magistrates.

Sunday or holiday. The manners and conversation of most of them are by no means suited to the improvement of the children of the families whom they serve.

In 1783—The Society of Antiquaries was constituted by Royal Charter.

In 1783—The Royal Society of Edinburgh was constituted by Royal Charter, and published the first volume of their Transactions in March 1788.

In 1763—There was no such thing known as bathing machines at Leith.

In 1783—There are a great number of machines for the accommodation of sea-bathing.

In 1763—The shore-dues at Leith (a small tax paid to the city of Edinburgh on landing goods at the quays) amounted to L.580.

In 1783—The shore-dues at Leith amounted to L.4000.

N. B. There was a great importation of grain to the port of Leith in 1783, not less than L.800,000 Sterling having gone out of Scotland for this year's deficiency of grain. But the shore-dues are often above L.3500 *per annum*, independent of any extraordinary importation.

In 1763, and for some years after, there was one ship which made an annual voyage to Petersburgh, and never brought tallow, if any other freight offered. Three tons of tallow were imported into Leith in 1763, which came from Newcastle.

In 1783—The ships from Leith and the Frith of Forth to the Baltic amount to hundreds. They make two voyages in the year, and some of them three. In 1786, above 2500 tons of tallow were imported directly from the Baltic into Leith.

In 1763—Every ship from London to Leith brought part of her cargo in soap.

In 1783—Every ship that goes from Leith to London carries away part of her cargo in soap.

In 1763—There was one glass-house at Leith for green bottles.

In 1783—There are three glass-houses, and as fine crystal and window glass are made at Leith as any where in Europe.

In 1783—The increase of tonnage in shipping belonging to the port of Leith since 1763 is 42,234 tons, and, since that period, has so greatly increased, that magnificent plans are published for enlarging the present harbour, which is found much too small for the number of ships *.

In 1786—A Chamber of Commerce was constituted by

* Of all the plans published, that by Charles Henry Kerr is the most magnificent.

Royal Charter at Edinburgh, for protecting and encouraging the commercial and manufacturing interests of the country.

In 1763—The revenue arising from the distilleries in Scotland amounted to L.4739 18s. 10d.

In 1785—The revenue arising from the distilleries amounted to L.93,701 12s. 1¼d.

N. B. The parish of Fairntosh paid no duty in either years, having a grant from the crown to distil free of excise duty, and this parish distilled more spirits than all Scotland.

In 1763—The starch manufacture was hardly known.

In 1783—There are many starch manufactories, and one starch manufacturer pays at the rate of L.700 every collection (or six weeks), of duty to government.

In 1763—Edinburgh was chiefly supplied with vegetables and garden-stuffs from Musselburgh and the neighbourhood, which were cried through the streets by women with *creels* or baskets on their backs. Any sudden increase of people would have raised all the markets. A small camp at Musselburgh a few years before had this effect.

In 1783—The markets of Edinburgh are as amply supplied with vegetables, and every necessary of life, as any in Europe. In 1781, Admiral Parker's fleet, and a Jamaica fleet, consisting together of 15 sail of the line, many frigates, and about 600 merchantmen, lay near two months in Leith Roads, were fully supplied with every kind of provisions, and the markets were not raised one farthing, although there could not be less than an addition of 20,000 men, for many weeks.

The crews of the Jamaica fleet, who were dreadfully afflicted with scurvy, were soon restored to health by the plentiful supplies of strawberries, and fresh vegetables and provisions, which they received: the merchants of London, who, either from humanity, or esteeming it a profitable adventure, sent four transports with fresh provisions to the fleet, had them returned without breaking bulk: it is believed that a similar instance to the above would not have happened at any port in Britain.

I shall extend this comparison in a future letter.

I am, &c.

THEOPHRASTUS.

LETTER II.

Actas parentum, pejor avis, tulit
Nos nequiores, mox daturos
Progeniem vitiosiorem. HOR.

I SHALL now give a few facts respecting Edinburgh in the years 1763 and 1783, which have a more immediate connection with Manners.

In 1763—People of fashion dined at two o'clock, or a little after; business was attended in the afternoon. It was common to lock the shops at one o'clock, and to open them after dinner at two.

In 1783—People of fashion, and of the middle rank, dine at four and five o'clock: no business is done after dinner; that having of itself become a very serious business.

In 1763—It was the fashion for gentlemen to attend the drawing-rooms of the ladies in the afternoons, to drink tea, and to mix in the society and conversation of the women.

In 1783—The drawing-rooms are totally deserted; and the only opportunity gentlemen have of being in ladies company, is when they happen to *mess* together at dinner or at supper; and even then an impatience is often shewn till the ladies retire. It would appear that the dignity of the female character, and the respect which it commanded, is considerably lessened, and that the bottle, and dissoluteness of manners, are heightened, in the estimation of the men.

In 1763—It was fashionable to go to church, and people were interested about religion. Sunday was strictly observed by all ranks as a day of devotion; and it was disgraceful to be seen on the streets during the time of public worship. Families attended church, with their children and servants, and family-worship was frequent. The collections at the church doors for the poor amounted yearly to L.1500 and upwards.

In 1783—Attendance on church is much neglected: Sunday is made a day of relaxation: families think it ungenteel to take their domestics to church with them: the streets are often crowded in the time of worship; and, in the evenings, they are often loose and riotous. Family-worship is almost totally disused; and it is even wearing out among the clergy: the collections at the church doors for the poor have fallen to L.1000. So that, with more people, and more money, the collections at the church doors are lessened near L.600 a-year.

It may be mentioned here, as a curious fact, that, for more

than half of this century, one of the smallest churches in Edinburgh * has collected more money for the poor, at the time of dispensing the sacrament, than eight churches did upon the same occasion in 1783.

In no respect are the manners of 1763 and 1783 more remarkable than in the modesty, decency, reserve, dignity, and delicacy, of the one period, compared with the loosenes, dissipation, forwardness, freedom, and licentiousness, of the other. People now seem to cease to blush at what would formerly have been reckoned a crime.

In 1763—The breach of the seventh commandment was punished by fine and church-censure. Any instance of conjugal infidelity in a woman would have banished her from society, and her company would have been rejected even by the men.

In 1783—Although the law punishing adultery with death stands unrepealed, yet even church-censure is disused, and separations, divorces, recriminations, collusions, separate maintenances, are become frequent. Women who have been rendered infamous by public divorce, have been permitted to marry the adulterer; and it is not without example, that the known adulteress has been, by some people of fashion, again received into society, notwithstanding the endeavours of our worthy Queen to check such a violation of morality, decency, the laws of the country, and the rights of the virtuous.

In 1763—The fines collected by the kirk-treasurer for bastard children amounted to L.154; and, upon an average of ten succeeding years, they were L.190.

In 1783—The fines for bastard children amounted to L.600.

N. B. It is to be remarked, that the repentance stool, and church-censure, have been several years disused.

In 1763—The clergy visited, catechised, and instructed the families within their respective parishes, in the principles of morality, christianity, and the relative duties of life.

In 1783—Visiting and catechising are disused, except by one or two of the clergy: if people do not choose to go to church, they may remain as ignorant as Hottentots, and the Ten Commandments be as little known as rescinded acts of parliament.——Religion is the only tie that can restrain, in any degree, the licentiousness of the vulgar; when that is lost, ferocity of manners, and every breach of morality may be expected.

Hoc fonte derivata clades
In patriam populumque fluxit.

* The Tolbooth Church.

In 1763—Masters took charge of their apprentices, and kept them under their eye in their own houses.

In 1783—Few masters will receive apprentices to stay in their house; and yet from them succeeding society is to be formed, and future magistrates and counsellors chosen: if they attend their hours of business, masters take no farther charge. The rest of their time may be passed (as it too often is) in vice and debauchery; hence they become idle, insolent, and dishonest. Masters complain of their servants and apprentices, but the evil often lies with themselves.

In 1763—If a young man had been led astray by bad company, he was ashamed of it, and most carefully concealed it. A young man could not have been seen in the Playhouse with bad women, without being reckoned a *Blackguard*, and exposed to contempt and ridicule.

In 1783—Youth early commences what are called *puppies*, and boast of their experience in vice before they leave school. Young men are not ashamed to sit in side-boxes with women of the town, and afterwards go into the boxes with young ladies of character, and women of fashion; and this is not, in general, treated (as it should be) as an insult, but often meets with no check, either from the mother or the daughter.

In 1763—There were about six or seven brothels or houses of bad fame in Edinburgh, and a very few only of the lowest and most ignorant order of females skulked about at night. A person might have walked from the Castle-hill to the Abbey, without being accosted by a single prostitute.

In 1783—The number of brothels and houses of civil accommodation are increased to some hundreds; and the *women of the town* are more than in an equal proportion. Every quarter of the city and suburbs is infested with multitudes of females, abandoned to vice, and many of them before passion could mislead, or reason teach them right from wrong. Some mothers live by the prostitution of their daughters. Gentlemens, and citizens, daughters are upon the town, who, by their dress and bold deportment, in the face of day, seem to tell us that the term Wh—e ceases to be a reproach.

In 1763—The Canongate was the foulest quarter of the city, with respect to abandoned women and brothels.

In 1783—The Canongate, by the vigilance of the magistrates of that district, is the cleanest and most quiet.

Some years after 1763, an alarm was taken by the inhabitants for the health of the children at the High School, from the smallness of the rooms, and the numbers crowded into them; and they procured the largest and most elegant schoolhouse in Britain to be erected.

In 1783—The health of the boys being provided for, there is no alarm taken respecting the corruption of their morals.

In Blackfriar's Wynd, which may be called the very avenue to the High School, there were lately twenty-seven houses of bad fame *. The boys are daily accustomed to hear language, and to see manners, that early corrupt their young minds. Many of them, before they enter their teens, boast of gallantries and intrigues, (and in a line too) which their parents little think of. Prudent mothers will be cautious what company their daughters are in, lest, in place of the innocent gambols of children, they should be engaged in the frolics of vice and licentiousness.

In 1763—People sent their daughters to Edinburgh, to be accomplished in their education, and to give them urbanity of manners. An Edinburgh education was thought the most likely to procure them a good marriage.

In 1783—Many people prefer a country-education for their daughters; and men of sense and worth prefer a young woman bred in the country, of innocent and simple manners, with virtuous principles, to one with tinsel accomplishments, and probably a giddy and corrupted mind.

In 1763—In the best families in town, the education of daughters was fitted, not only to embellish and improve their minds, but to accomplish them in the useful and necessary arts of domestic economy. The sewing-school, the pastry-school, were then essential branches of female education; nor was a young lady of the best family ashamed to go to market with her mother.

In 1783—The daughters even of tradesmen consume the mornings at the toilet, (to which *rouge* is now an appendage), or in strolling from the perfumer's to the milliner's, &c. They would blush to be seen in a market. The cares of the family are devolved upon a housekeeper; and Miss employs those heavy hours, when she is disengaged from public or private amusements, in improving her mind from the *precious stores* of a circulating library.

It may now be said, that the generality of young men are bold in vice, and that too many of the young women imitate the meretricious airs and flippancy of courtezans.

In 1763—There was no such diversion as cock-fighting in Edinburgh.

In 1783—There have been many cock-fighting matches, or *mains*, as they are technically termed; and a regular cockpit is built for the accommodation of this school of gambling and cruelty, where every distinction of rank and character is levelled.

In 1763—Deep mourning for relations was worn, and continued long: that for a husband or wife twelve months.

* This nuisance is now removed.

In 1783—Mournings are slight, and worn for a very short time.

In 1763—There was one dancing assembly-room; and the profits were given for the support of the Charity Workhouse. Minuets were danced by each set, previous to the country dances. Strict regularity with respect to dress and decorum, and great dignity of manners were observed.

In 1786—The old assembly room is used for the accommodation of the city guard. There are three new elegant assembly-rooms built, besides one at Leith; but the Charity Workhouse is starving. Minuets are given up, and country dances are only used, which have often a nearer resemblance to a game of romps than elegant and graceful dancing. Dress, particularly by the men, is much neglected; and many of them reel from the tavern, flustered with wine, to an assembly of as elegant and beautiful women as any in Europe.

In 1763—The company at the public assemblies met at five o'clock in the afternoon, and the dancing began at six, and ended at eleven, by public orders of the managers, which were never transgressed.

In 1783—The public assemblies meet at eight and nine o'clock, and the Lady Directress sometimes does not make her appearance till ten *. The young Misses and Masters, who would be mortified not to see out the ball, thus returns home at three or four in the morning, and yawn and gape, and complain of headachs all the next day.

In 1763—The weekly Concert of music began at six o'clock.

In 1783—The Concert begins at seven o'clock †.

The barbarous custom of *saving* the ladies, (as it was called,) after St Cecilia's Concert, by the gentleman drinking immoderately to *save* his favourite lady, is now given up.—Indeed they got no thanks for their absurdity.

In 1763—The question respecting the morality of stage-plays was much agitated. A clergyman, a few years before, had been brought before the General Assembly of the Church, and suspended from his office, for having written a tragedy, perhaps one of the most chaste and interesting in the English language ‡. By those who attended the theatre, even without scruple, Saturday night was thought the most improper in the week for going to the play. Any clergyman, who had been known to have gone to the playhouse, would have incurred church censure.

In 1783—The morality of stage-plays, or their effects on

* A new institution, that of Master of Ceremonies for the City Assembly Rooms, took place in 1787.

† The hour of meeting is since altered to half past six o'clock.

‡ The Tragedy of Douglas, by Mr Home, then a Clergyman.

society, are not thought of. The most crowded houses are always on Saturday night. The boxes for the Saturday-night's play are generally bespoken for the season, so that strangers often on that night cannot get a place. This method of taking a box for the Saturday-night through the season, was lately much practised by boarding-mistresses, so that there can be no choice of the play, but the young ladies must take the dish that is set before them. The trash that by this means is often presented, (for it is always the worst play of the week), cannot fail to overcome delicacy, with respect to threatrical exhibitions. Impudent buffoons take liberties in their acting that would not have been suffered formerly.

In 1763—Young ladies might have walked through the streets in perfect security at all hours. No person would have presumed to have interrupted or spoken to them.

In 1783—The mistresses of boarding-schools find it necessary to advertise, that their young ladies are not permitted to go abroad without proper attendants. The same precaution is also necessary at dancing-schools.

In 1763—A young man was termed a *fine fellow*, who, to a well-informed and an accomplished mind, added elegance of manners, and a conduct guided by principle; one who would not have injured the rights of the meanest individual; who contracted no debts that he could not pay, and thought every breach of morality unbecoming the character of a gentleman.

In 1783—The term *fine fellow* is applied to one who can drink three bottles; who discharges all debts of honour, (or game debts and tavern bills) and evades payment of every other; who swears immoderately, and before ladies, and talks of his word of honour; who ridicules religion and morality as folly and hypocrisy, but without argument; who is very jolly at the table of his friend, and will lose no opportunity of seducing his wife, if she is handsome, or of debauching his daughter; but, on the mention of such a thing being attempted to his own connections, swears he would cut the throat, or blow out the brains of his dearest companion, who would offer such an insult. Sensible mothers should be careful what kind of *fine fellows* are admitted to visit in their families.

In 1763—Mr Whitefield, and other pious divines from England, used occasionally to visit Edinburgh, and they were much attended by all ranks, who listened to the doctrines of Christianity and morality.

In 1783—An itinerant quack doctor publicly disseminates obscenity and blasphemy, insults magistracy, and sets the laws, decency, and common sense, at defiance *.

* A quack at this time, rendered conspicuous by unparalleled

In no respect is the decency, sobriety, and decorum of the lower ranks in 1763 more remarkable, than by contrasting them with the riot and licentiousness of 1783, particularly on Sundays and holidays. The King's birth-day, and the last night of the year, seem now to be devoted to drunkenness, outrage, and riot, instead of loyalty, peace, and harmony.

In 1763, and many years preceding and following, the execution of criminals was rare; three annually were reckoned the average for the whole kingdom of Scotland. There were four succeeding years in which there was not an execution in the whole kingdom.

In 1783—There were six criminals under sentence of death in Edinburgh in one week, and, upon the Autumn Circuit, no less than thirty-seven Capital Indictments were issued. I am, &c.

THEOPHRASTUS.

LETTER III.

Quid tristes querimoniæ,
Si non supplicio culpa reciditur?
Quid leges sine moribus
Vanæ proficiunt? Hon.

I SHALL now proceed to point out a few particulars, in which Edinburgh has made *little* or *no change* since 1763.

In 1783—The slaughter-houses remain where they were, in spite of an act of Parliament for their removal, and the universal complaint of the inhabitants of the nuisance, with the testimony of physicians and surgeons, of their pernicious effects to health.

In 1783—The old city of Edinburgh, though situated by nature for being one of the cleanest in the world, cannot even yet be complimented in this respect; and although the High Street was lately sunk five feet upon a rapid declivity, the making common sewers on each side was not attended to.

impudence, gave public lectures (as he called them) in Edinburgh. To the honour of the Police, he was imprisoned, and his lectures prohibited, which example was afterwards followed by the city of Newcastle, and the Justices of Northumberland and Durham; yet, strange to tell, he had lectured two years in London unchecked!

The ancient river *Tumble*, like the *Flavus Tiber* of old Rome, still continues to run.

> Rusticus expectat, dum defluit amnis; at ille
> Labitur, et labetur in omne volubilis ævum.

In 1783—The lighting of the streets is much the same as in 1763; for, although there are more lamps and lamp-posts, there is no more oil. At the first lighting they serve only to make "darkness visible," and they are now much sooner extinct than in the regular and decent 1763, when people were at home early, and went to bed by eleven o'clock *.

In 1783—The city-guard consists of the same number of men as in 1763, although the city is triple the extent, and the manners more loose. The High Street is the only one that can be said to be guarded. The New Town to the north, and all the streets to the south, with the whole suburbs, are totally unprotected.

The country, in general, has improved much in the English language since 1763; but the city-guard seem to preserve the purity of their *native Gaelic tongue*, so that few of the citizens understand, or are understood by them. On disbanding the army, one would have imagined that a corps of good men, who understood English, might have been procured.

In 1783—The Charity Work-house is starving, and soliciting supplies, and Edinburgh is the only place in the island that does not, or cannot provide for its poor; yet magnificent Dancing Assembly-Rooms are built in every quarter. The members of the courts of law, indeed, pay no poor's money, although the most opulent part of the community, and they send a large proportion of managers to dispose of funds to which they do not contribute †!

In 1783—The Old Town is still without public necessaries, although the best situated place perhaps in Britain for the purpose, and the Old Town never can be cleanly without them. There is one exception to this since 1763, raised by subscription of the neighbourhood, on the application of a citizen, which shows how practicable the scheme is.

In 1783—A great majority of servant-maids continue their abhorrence at wearing shoes and stockings in the morning.

In 1783—The streets are infested, as formerly, by idle ballad-singers, although no person, by the law of the borough,

* Since the above remark was made, the lamps have been better attended to, and the city is in general well lighted.

† The question was lately tried before the Court of Session, respecting the privileges of that Court, and it was found that they were entitled to exemption from supporting the poor.

ISLINGTON LIBRARIES

is allowed to hawk or cry papers in the streets but the Cadies, under cognisance of the magistrates. The only difference is, that their ballads are infinitely more loose than they were, and that servants and citizens' children make excuses to be absent, to listen to these abominable promoters of vice and low manners, and convey corruption into families by purchasing them.

In 1783—The streets are much more infested with beggars and prostitutes than in any former period of the history of the city, and probably will continue to be so till a *Bridewell* is provided. A Bridewell has been long talked of and projected; but this most necessary improvement has been forgotten in the rage for embellishment *.

In 1783—The buildings of the University are in the same ruinous condition that they were in 1763, and the most celebrated University at present in Europe is the worst accommodated. Some of the Professors have even been obliged to have lecturing-rooms without the College for their numerous students. The scheme of a new College was vigorously promoted by a late public spirited magistrate; but this useful and most necessary undertaking has not as yet been advanced.

In 1763—The public records of Scotland were kept in a dungeon called the Laigh Parliament House.

In 1783—The records are kept in the same place, although a most magnificent building has been erected for the purpose; but hitherto it has been unfinished, and only occupied by pigeons. Edinburgh may indeed boast of having the most magnificent pigeon-house in Europe †.

Although the North Bridge was not built in 1763, yet, ever since it has been built, the open ballusters ‡ have been complained of; and, in 1783, passengers continue to be blown from the pavement into the mud in the middle of the Bridge. An experiment was made last year, by shutting up part of these ballusters, on the south end; and having been found effectual in defending passengers from the violent gusts of wind, and screening their eyes from blood and slaughter, nothing more has been thought requisite to be done ||.

Many of the facts I have now furnished are curious. They point out the gradual progress of commerce and luxury, and

* In 1785, a master of works, and superintendant of police, was appointed by the town council.

† Since the above was written, measures have been taken for finishing the Register Office, and it is now nearly completed. A great part of the public records have been already removed thither.

‡ Since the above was written, the ballusters on the west side of the Bridge have been built up, to the great comfort of every passenger.

|| They are now completely built up.—1816.

by what imperceptible degrees society may advance to refinement, nay, even in some points to corruption, yet matters of real utility be neglected.

Similar observations to what I have made, may probably be applicable to many great towns and cities in Britain; and, if the example I have given is followed, much information may be gained respecting police and manners. I have said in my first Letter, that such a plan might be both curious and useful. The prosperity and happiness of every nation must depend upon its virtue, and on the wisdom and due execution of its laws.—I am, &c.

THEOPHRASTUS.

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A

SKETCH

OF THE

IMPROVEMENTS OF THE CITY OF EDINBURGH,

FROM 1780 TO 1816.

A

SKETCH, &c.

THE Publisher having now presented his Subscribers with the interesting and instructive HISTORY of EDINBURGH, by the late Mr ARNOT, agreeably to his engagement, he proceeds to give a short sketch of the Public Buildings and Improvements which have taken place since the period the History closes. He regrets that his plan necessarily renders this account so brief; but he has it in contemplation, to give a complete History of that eventful period of Edinburgh History, since the days of Mr Arnot, in an additional volume.

EDINBURGH, the Capital of Scotland, is situated on three small hills, with their intermediate vales, at a small distance from the Frith of Forth. It is surrounded by hills, except upon the north. On the east it is bounded by Arthur-Seat, Salisbury Craigs, and the Calton Hill. On the south, by the hills of Braid, and the extensive ridge of the Pentland Hills; and the beautiful and lofty hills of Corstorphine, in the form of a cock's comb, near their summit, on the west. These form a magnificent amphitheatre, in which, on a spot of less altitude, stands the far-famed City of Edinburgh.

LET us first direct the attention to the *southern hill* and its vicinity. The unfortunate Lunatics, which have long been neglected, have, through the benevolence of Dr Duncan, senior, attracted the compassion of the public; and, south-west of Bruntsfield Links, in a retired spot, an Asylum is erecting for their reception. Two small wings are finished, and the success attending the institution has been equal to the most sanguine expectations. Fourteen have been received, five recovered and sent home with gladness to their friends, and three have been greatly relieved. The aid of the public has been earnestly and frequently solicited, and Government has given a donation of L.2000. The unfortunate are received from every part of the kingdom; and the building, when finished, will receive more than 200 patients.

Gillespie's Hospital,

A commodious oblong building, ornamented with battlements and small turrets, situated on a spot in a direct line south of the castle, was endowed by Mr James Gillespie. He acquired a large fortune by trade in snuff and tobacco, the greater part of which he appropriated to the erection of this Hospital, and a School in the neighbourhood. The one for the maintenance of old men and women, the other for the education of an hundred boys.

The right of admission to the Hospital is good behaviour and poverty, fifty years of age and upwards, with no allowance from any other charity. The late servants of Mr Gillespie are preferred. Those of the name of Gillespie; those living in Edinburgh and its vicinity; in Leith and in the country. And, in case of vacancies, those residing in any part of Scotland.

The right of admission to the School is poverty, under six and not above twelve years of age. Place of residence unlimited. The total number in the Hospital is above forty.—The surrounding fields add greatly to the pleasure and healthfulness of this dwelling.

The Southern Division of the Capital is irregular; but the greater part elegant and modern. George's Square, adjacent to the Meadows, which are now drained and ornamented with convenient walks, is a spacious area, surrounded with elegant buildings, inhabited by the more opulent of the place. It has lately been much improved by laying out the area in the finest style with walks and shrubberies.

Brown's, Argyle's, and Nicolson's Squares, contain nothing remarkable, except that each of these has lately been laid out in walks surrounded with shrubberies.—A little to the east of Argyle's Square, two neat and commodious Meeting Houses have been erected. The one for the accommodation of an Independent Congregation, and the other for the Gaelic Congregation, (in connection with the established Church,) who have left their old church, situated near the Castle.

Nicolson's Square has also been considerably improved by lowering and new paving of the streets, and particularly by the erection of an uncommonly elegant church in the south-west corner, for the accommodation of a Congregation of Wesleyan Methodists; their former church being pulled down for the erection of the Regent Bridge.

Edinburgh is now distinguishing herself by an extraordinary zeal for erecting new houses for Public Worship, and for rendering these, in some instances, highly ornamental, and creditable to the present state of the arts. The present mode of presenting ministers in the establishment (without allowing the Christian people a choice) has occasioned the erection of a number of handsome plain edifices, which, in general, are commodious and neatly finished within. In the south district, we find the following, all erected by Dissenters, from subscriptions and collections at the doors of the particular congregations to which they belong:—

In 1786, a handsome Meeting House, situated between Nicolson's Street and Potterrow, was opened for the accommodation of a respectable Congregation of Antiburghers.—Lately, a very large and commodious Meeting House was re-built for the accommodation of a respectable and numerous Congregation of Burghers, situated between Potterrow and Bristo Street.—A third Burgher Meeting house was also lately built in a very steep lane situated between the Grass-market and Portsburgh.—Farther west, in Lady Lawson's Wynd, stands a small church occupied by a Congregation of Cameronians. — A very handsome Chapel was lately built in Richmond Street, for the accommodation of a Congregation under the pastoral inspection of the Rev. Dr M'Crie, author of the Life of John Knox.—Two neat Chapels stand in Roxburgh Place, the one is occupied by a congregation in communion with the Church of England, and the other with the Relief. Both are handsomely finished within, and attended by genteel audiences.—A large and handsome Meeting-House was re-built in College Street in 1798, for the First Congregation of Relief, after a plan by the late Rev. Mr James Struthers, then pastor of the Congregation,—now under the pastoral charge of the Rev. Mr Smith, which is numerously attended.—Two in the Pleasance, one for the Society of Baptists, and the other for the Quakers, are among the new buildings which adorn this quarter.

In the vicinity of the University, a little to the north-east, fronting the Royal Infirmary, Lady Yester's Church has been re-built in an elegant and modern form, which, together with the improvements in Surgeon's Square, east of the High School, add considerably to the beauties of this part of the town.

New College of Edinburgh.

The old buildings being unfit for the reception of so many professors and students, and quite unsuitable to the dignity of such a flourishing University, the Lord Provost, Magistrates,

and Council, set on foot a subscription for erecting a new structure, according to a design of Robert Adam, Esq. architect. Most of the old fabric has in consequence been pulled down, and the new building is now in a considerable state of forwardness. The foundation stone was laid on Monday the 16th of November 1789, by the Right Honourable Francis Lord Napier, Grand Master Mason of Scotland, in the presence of the Lord Provost, Magistrates, and Town Council, with the Principal, Professors, and Students of the University, a number of nobility and gentry, and the masters, officers, and brethren, of all the lodges of free masons in the city and neighbourhood, who marched in procession from the Parliament House down the High Street. After the Masonic ceremonies were performed, two crystal bottles were deposited in the foundation stone. In one of these were put different coins of King George III. each of them being previously enveloped in crystal, in such an ingenious manner, that the legend on the coins could be distinctly read without breaking the crystal. In the other bottle were deposited seven rolls of vellum, containing a short account of the original foundation and present state of the University, together with several other papers; in particular, copies of the different newspapers published in the city, and a list of the Professors, Magistrates, and Officers of the Grand Lodge. The bottles, being carefully sealed up, were covered with a plate of copper wrapt in block tin: and upon the under side of the copper were engraved the arms of the city of Edinburgh and the University; with those of Lord Napier. Upon the upper side a Latin inscription, of which the following is a copy:

Annuente Deo Opt. Max.
Regnante Georgio III. Principe
Munificentissimo;
Academiæ Edinburgensis
Ædibus,
Initio quidem humillimis
Et jam, post duo secula, pene ruinosis;
Novi hujus ædificii,
Ubi commoditati simul et elegantiæ,
Tanto doctrinarum Domicilio
Dignæ,
Consuleretur,
Primum lapidem Posuit
Plaudente ingenti omnium ordinum
Frequentia,
Vir Nobilissimus
Franciscus Dominus Napier,
Reipub. architectonicæ apud Scotos
Curio maximus;
XVI. *Kal. Decemb.*

Anno salutis humanæ MDCCLXXXIX.
Æræ architectonicæ IↃIↃCCLXXXIX.
Consule Thoma Elder,
Academiæ Prefecto Gulielmo
Robertson,
Architecto Roberto Adam.
Q. F. F. Q. S.

The E. and W. fronts of this pile are to extend 255 feet, and the S. and N. 358. There are to be houses for the Principal, and six or seven of the Professors. The Library is to be a room of 160 feet in length; the Museum for natural curiosities is to be of the same extent; and the dimensions of the hall for degrees and public exercises are about 90 feet by 30. There are likewise an elegant and most convenient anatomical theatre; a chemical laboratory; and large rooms for instruments and experiments for the professors of mathematics, natural philosophy, and agriculture. The whole, when finished, if not the most splendid structure of the sort in Europe, will be the completest and most commodious; and it will do the utmost honour to the genius of the architect, and to the munificence of the public. "So popular was this measure," says Mr Creech, "that in five months the subscriptions amounted to L.16,869, and rose, soon after, to L.31,608." The estimate for completing the whole is about L.63,000. The six columns in the front are not to be equalled in Britain. The shaft of each is twenty-three feet high, and three feet diameter, of one entire stone.

It is matter of deep regret, that such an extensive plan was adopted, and that the adjacent houses approach so near a structure (particularly on the west) intended to form one of the most magnificent in Scotland. The late Lord Provost, (Sir John Marjoribanks) obtained a grant from Parliament of L.10,000 annually until the building is finished.

South Bridge.

The South Bridge is exactly opposite to the North, so as to make but one street, crossing the High Street almost at right angles. It consists of 22 arches of different sizes: but only one of them is visible, *viz.* the large one over the Cowgate; and even this is small in comparison with those of the North Bridge, being no more than 30 feet wide and 31 feet high. On the south, it terminates at the University on one hand, and the Royal Infirmary on the other. The Tron Church stands at the northern extremity, facing the High Street, and in the middle of Hunter's Square, at the head of Blair Street, both named in memory of the late public-spirited

magistrate, Sir James Hunter Blair, who planned these improvements, but did not live to see them executed. On the west side of this Square the Merchant Company have built a very handsome hall for the occasional meetings of their members; and on the west side of Blair Street, his Majesty's Printers have erected a huge building for their accommodation as Printers and Stationers.

The South Bridge was erected with a design to give an easy access to the great number of streets and squares on the south side, as well as to the country on that quarter from whence the city is supplied with coals. This Street is supposed to be as regular as any in Europe; every house being of the same dimensions, excepting that between every two of the ordinary construction there is one with a pediment on the top, in order to prevent that sameness of appearance which would otherwise take place. So great was the rage for purchasing ground on each side of this bridge for building, that the areas sold by public auction at L.50 pound per foot in front. By this the community were undoubtedly considerable gainers; whether the proprietors have indemnified themselves for their extraordinary expence, by the vast sale of goods expected to attend the shops in that part of the town, or not.—*(See Author's Appendix, p. 508.)*

The Central Hill is about a mile long, rising from east to west, and very steep on either side. The space between the Castle and the City, called the *Castle-Hill*, has lately been greatly improved, by being levelled and a large wall with a rail erected on the north side. The same is proposed to be done on the south side. This area affords one of the most diversified and beautiful prospects, and is much frequented by the inhabitants, both for pleasure and wholesome air.

Bank of Scotland.

There are several new buildings which ornament this division of the city. At the northern extremity of a short street called *Bank Street*, which unites the Lawn-Market and the Earthen Mound, an elegant and commodious edifice has lately been erected, for conducting the business of the bank. The architecture is greatly admired, from uniting an elegance and simplicity free of needless decoration; but this can only be said with respect to the front and the west side, for the remainder of the building bears no distant appearance to a great tower of modern structure. Nothing can be more extraordinary than selecting the spot on which it is founded,

the back being exposed to the principal street of the New Town, and rising 100 feet perpendicularly; while the front, being on the top of a declivity, behoved to be restricted to a very moderate height. It is ornamental, therefore, only in one point of view; and from Prince's Street, the extreme disproportion is disguised by a kind of curtain, consisting of a wall with a stone ballustrade, about half way from the foundation. On the front there is a coat armorial, with supporters as large as life, which was executed by an artist with only one hand. The lobby is very spacious; the door-ways supported by pillars; and there is a Teller's room, of an octagonal figure, fifty feet in length.

Parliament Square.

The new Courts of Session House, with the other improvements of the Parliament House and the Court of Exchequer, add greatly to the beauty of that square. But the spacious building to the west of the square, erected for the Advocates' and the Writers to the Signet's Libraries, greatly excel both in magnitude and splendour.

Description of the Writers to the Signet's Library.

(Extracted from Caledonian Mercury, Jan. 25. 1816.)

It is with much pleasure that we call the attention of the Public to the hall lately erected by the Society of Writers to the Signet, for the reception of their valuable library. Considering this Hall as one of the chief ornaments of the city, we have no hesitation in pointing it out to our fellow-citizens as an example of pure and classical taste.

When the Society resolved to provide a room for the display of their present collection, and the accommodation of the augmentations which it is annually receiving, they purchased the ground storey of a building recently erected in the immediate vicinity of the Parliament House, and entrusted the interior arrangement and decoration to the late Mr Stark.

Many difficulties must always present themselves in adapting a building to a purpose for which it was not originally intended; particularly when it is impossible to permit any alteration whatever, either in the external architecture, or in any of the dimensions of the allotted space. In this instance, however, these difficulties are so happily surmounted, that neither is there any defect for which it is necessary to seek an apology, nor the slightest appearance of constraint.

The space assigned for the Library being very long in proportion to its other dimensions, Mr Stark has divided it by

open arches into two parts, the first of which is oblong, and the second square. The cieling of the oblong division is supported by two rows of Corinthian columns, which, besides being very elegant in themselves, completely obviate the difficulty presented by the want of height, which would otherwise have been very remarkable in so large a room. On entering the great door, the colonade, continued for intercolumnations without any break or interruption, produces a simple and noble effect, and through the ornamented arches by which this part of the hall is separated from the inner apartment, the latter appears rich and magnificent. Nor is the view from the upper end of the room at all inferior; the colonade, as seen through the arch, receding from the eye in regular and beautiful gradation.

Architecture can boast of nothing superior to a well-proportioned colonade, nor can bad taste be more conspicuously displayed than in marring the effect of what is so susceptible of magnificence. Mr Stark was too modest, and too sincere an admirer of ancient art, to imagine, that he could improve models which have commanded the admiration of ages. Every deviation, also, which he saw from the antique, confirmed his opinion of the danger of departing from the proportion observed in the best edifices of Greece. His designs have, therefore, a chaste and classical air, which, besides their intrinsic excellence, will recommend them to every man of improved taste.

It happened, fortunately, that the distance between the windows was such as suited the space proper between columns of the dimensions required for the height of cieling. Had this been otherwise, there is no doubt that Mr Stark would have altogether abandoned the idea of a colonade; for nothing can be more fatal to its beauty, than those wide and straggling intercolumnations which are sometimes adopted with the view of giving lightness to a design. Their effect is directly the reverse; the entablature, in such cases appearing insufficiently supported.—The whole elegance of the arrangement is, at the same time, sacrificed to this preposterous attempt at lightness; the proportion of the height to the width of the spaces is materially injured, and every thing like relation between the voids and solids, from the alternation of which the beauty of a colonade chiefly arises, is lost to the eye.

It is impossible to terminate this brief and imperfect sketch without noticing the good taste displayed in painting the room. Where simplicity is characteristic, variety of tints would have injured the general effect; and where the architecture is well proportioned, no additional relief, by the contrast of colours, is desirable. When the painting requires renewal, we beg to

submit that even the gilding of the rail of the gallery should be removed or confined to the edges and veins of the foliage; for it is not altogether in harmony with the rest of the room, and the decided cincture which it forms behind the columns, is, in a slight degree, hurtful to their contour.

The books contained in this noble apartment, constitute, we believe, one of the best chosen collections in this country; and the Society we understand, are taking steps to carry it forward upon an enlarged scale.

We have never met with so large a room so completely and so comfortably heated. A glow of pleasant warm air is perceptible the moment one enters the room, without the slightest degree of the strong smell which generally occurs where heat is conveyed through tubes. The fire-place is constructed in one of the cellars—the heat is derived from a cast-iron cockle about nine feet high, and conducted by pipes, through the whole length of the room, terminating in cast iron-tables, from under which the heated air is delivered into the room by a very neat contrivance for regulating the quantity of it, so that the room may be kept at any temperature that may be required. The pipes which convey the air from the stove tables are surrounded with brick and tiles, so as to secure them from any danger of communicating fire.

The difficulty of heating large rooms has long been severely felt, and we congratulate Mr James Jardine, the engineer, under whose directions this apparatus has been constructed, for the successful result of his ingenuity.

Advocates' Library.

Immediately above the Signet Library is a room or gallery, 136 feet long by 39 in width, with a lofty roof, through which it is partly lighted, for receiving a library belonging to the Faculty of Advocates, which contains the most valuable collection of books in Scotland. There are also two smaller apartments on the same floor, and two lobbies below, one of which is to be reserved as an entrance for the advocates to the Parliament House, and a place for attiring themselves in their proper costume. This body has been particularly favoured by government in the part of the new building allotted for them. The Writers to the Signet paid L.5000 for accommodation in the ground floor; the Advocates contributed ground worth only about L.3000, for a site to the edifice, and the portion they receive, though perhaps not so well adapted for use as a detached structure would have been, is estimated at L.12,000.—*(See Arnot, p. 226.)*

Some years ago, the buildings for accommodating the Courts of Law, certain public officers, and persons in confinement, being found inadequate for their respective pur-

poses, the defect was proposed to be remedied by considerable additions to the Parliament House. Plans and estimates were accordingly prepared, by which it appeared that the whole would amount to L.51,000. However, it was about the same time discovered, that a fund which had long before been appropriated for the salaries of the judges, of later years ceased to be directed into that channel, and then amounted by accumulations to about L.30,000 ; therefore, above half the expence could at once be defrayed. A bill was precipitately carried through Parliament, chiefly founded on the opinions of individuals; and this enormous irregular pile of building has now arisen. But in completing it, the architect has found it necessary to destroy the original front of the Parliament House, to make way for a piazza, forming part of the plan. Perhaps, this is to be regretted, for it was not only ornamental, but intimately corresponded with the interior, setting aside the expence of that part of the structure from which no material use can be derived.

County Hall.

Upon the west of this magnificent building is presently erecting a County Hall, equally spacious and elegant, which, when finished, must produce the finest effect and beautify that quarter. It is estimated to cost L.17,000.

Exchequer Chambers.

Immediately adjoining to the Parliament House, and forming part of the new buildings, are several apartments for accommodating the Court of Exchequer, and a variety of offices under their controul, chiefly connected with the revenue. The principal of these is a court-room, approaching a semicircular figure, with a handsome figured stucco roof, commodiously fitted up for Exchequer Trials. Other apartments are called the treasury chambers, where the barons of exchequer, who are five in number, sit as lords of the treasury, or determine causes without a jury ; and various offices fill the whole building, under different denominations.

Adjoining the Parliament House on the west, and south of the Advocates' and Writers' Libraries, was lately erected a small and confined jail for criminals. It is not yet occupied. From apparent want of room, one is also building on an extensive scale on the Calton Hill, for the reception of debtors.

Commercial Bank.

This Bank was instituted in 1810, by a considerable number of merchants and others, and is now carried on in a very handsome new building, erected for the purpose, in a close behind No. 142. High Street. The Company's capital is Three Millions Sterling. They have branches in various places in the country.

Free-Masons' Hall.

The office-bearers of the Grand Lodge of Scotland lately purchased St Cecilia's Hall, foot of Niddry Street; they have fitted it up for the reception and accommodation of their association on particular occasions. They have also built a large wing fronting the Cowgate, containing a range of shops on the ground floor, and on the floor above, a very large hall, or ball-room, with a kitchen and other conveniencies, which are occasionally let to vintners, for the accommodation of large dinner parties, or balls.—It is also occasionally occupied for public worship.

Glassite Chapel.

A few years ago the Society, or Congregation of Glassites, erected a Chapel for their accommodation in Chambers's Close, north of the Fountain Well, High Street. The Chapel is quite hid, being only visible from the narrow confined close in which it stands. It is small, but accommodates the people in this city who have espoused the opinions of the late Mr John Glass.

Old Burgher Meeting.

In consequence of a dispute in the Burgher Synod, which led to a separation, some years ago, a division took place; and, in consequence of said division, a certain number, chiefly old people, thought proper to leave their then pastors, and form themselves into a separate Society. Their place of worship lies between Skinner's and Gray's Close, having access from both.

Chapels of Ease.

Two chapels have lately been erected in the Canongate. One in M'Dowal's Street, and the other at the head of Young's Street, each accommodating about 1400 sitters. The former

of these similar to Lady Glenorchie's, and the Chapel in South Leith; are general Chapels of Ease, and unconnected with any particular parish, but under the controul of the Presbytery.

Queensberry House.

This huge building, with the garden ground around it, was recently purchased by Government, and has undergone a very thorough repair. It has been fitted up for, and for years past been occupied as military barracks. The garden, lying between the barracks and the road south back of Canongate, has been converted into a beautiful parade ground.

Olympic Circus.

The only Circus now in Edinburgh is situated in North College Street. It is a large brick building, in which equestrian exhibitions, pantomime entertainments, rope-dancing, and tumbling, are exhibited. In the forenoon ladies and gentlemen are taught to ride in it.

Having now pointed out the new public buildings on the south and central hills, we will endeavour to bring into notice those on the *northern hill*, or New Town of Edinburgh. We shall commence by taking notice of the Earthen Mound, and new roads connected with it.

Earthen Mound.

"In 1783—A communication (towards the Castle) between the old and the new city, was begun by means of an immense mound of earth, above 800 feet in length, across a deep morass, and made passable for carriages in three years. Whilst the mound was forming, it sunk at different periods, above 80 feet on the west side, and was again filled up. Eighteen hundred cart-loads of earth, from the foundations of the houses then digging in the New Town, were (upon an average) laid upon the mound every day. This is a work unrivalled by any but Alexander the Great's at Tyre.

"The height of this mound, from the surface of the ground, which was formerly a lake, is, at the south end, 92 feet, and at the north end 58 feet. The quantity of earth that appears at present above the surface measures 290,167 cubical yards; and, it is moderate to say, that half as much is below the surface. This makes the mound, as it stands at present,

435,250 cubical yards of travelled or carried earth. Then, allowing three cart-loads to each cubical yard of earth, there must be 1,305,750 cart-loads in this mound! It began by the magistrates accommodating the builders in the New Town with a place to lay rubbish; and this noble and useful communication cost the city only the expence of spreading the earth. Had the city paid for digging and driving the earth, it would have cost them L.32,643 15s. Sterling—supposing the digging, carting, and driving, as low as 6d. per cart-load. It is not nearly completed to its full breadth."

The Mound must appear to every passenger as yet unfinished. No situation can be more favourable for ornamental buildings. The plan, at present in contemplation, is to erect a row of buildings on a line with Hanover Street, which may have a front of equal elevation both to the east and west, and may have, on each side, a walk and colonnade, as well as a parapet railing, to inclose the carriage road along the edges of the Mound.

We observe, with pleasure, a new road carrying forward from the south end of the Mound, east to the Fish and Flesh Markets, which will prove a great accommodation to a goodly number of the inhabitants in that quarter of the city, as well as those in Canal and Market Streets.

Another road from Princes Street, opposite St Andrew's Street, down a very steep decent to Canal Street, and the Markets. This road must cost a very large sum of money which might have been saved, had the road been sloped from opposite the bottom of St David's Street; it would have been rendered more easy, not only for carriages, but for persons walking on foot. The present road, when completed, will be equally steep as the West Bow.

We learn, with pleasure, that it is intended to erect a parapet, with iron rail, along the south side of Princes Street, from the west end to the Mound, to make it appear uniform with that on the east side.

CHURCHES AND CHAPELS,

ON THE NORTH HILL, OR NEW TOWN.

St Andrew's Church.

There are two churches for the established religion, entirely of modern erection, in the New Town; the one dedicated to St Andrew, the other to St George. This relic of Popish superstition, the dedication of every new church to a saint, is singular in a country where nothing but strict Presbyterian forms are recognised by the legislature. The former, St Andrew's church, is an oval building 87 feet by 64 of internal capacity. A handsome portico fronting the street, is supported by four columns of the Corinthian order, from which springs a spire, executed in good taste, 168 feet high. The church is lighted by two rows of windows, and a gallery runs along two thirds of the wall; but the extreme plainness of the whole, which is entirely void of relief or decoration, gives a mean aspect to an edifice which would otherwise have been both elegant and ornamental.

St George's Church, Charlotte Square.

On Tuesday, the 14th May 1811, the Lord Provost, Magistrates, and Town Council, met in St Andrew's Church, New Town, from whence, a little after two o'clock, they walked in procession to the west end of Charlotte Square, where the Church is now built. They were accompanied by three of the ministers of the city, the master of the Merchant Company, and several other gentlemen. On their arrival at the place where the foundation stone was to be laid, the Rev. Dr Macknight commenced the ceremony with a very appropriate prayer. The stone was then lowered, and a glass case, containing several coins, as also the plan of the building, and other papers, was deposited in the foundation; likewise a copper plate, on which was the following inscription:

The Foundation Stone of this Church
was laid
On the 14th day of May, in the year 1811,
In the 51st year of the reign of
His Majesty KING GEORGE III.
By WILLIAM CALDER, *Esq. Lord Provost*
of the City of Edinburgh.
ROBERT REID, *Esq. Architect.*

St George's church presents a front of 112 feet to Charlotte Square, with a portico, supported by four Ionic columns, 35 feet high, including the capitals. They are elevated on an extensive flight of steps, forming the entrance to the church, which is 128 feet in extreme width, and can accommodate 1600 persons. A great dome rises from a basement 48 feet square, behind the portico, above which is a circular row of columns with their entablature and ballustrade, surmounted by the upper compartments of the dome. The whole is crowned by a lantern, with a cross, 160 feet above the ground; and produces a fine effect when viewed from different parts of the city or the avenues approaching it. This church was erected at the expence of above L.30,000, and opened for divine service on the 5th of June 1814.

Burgher and Relief Chapels, New Town.

Besides the elegant structures noticed above, we find other two handsome Chapels in the New Town, the one situated in Rose Street, for the accommodation of a Congregation of Burghers, the other in James's Place, for a Congregation in connection with the Relief. Both places are large, and well attended.

Independent Chapel, Albion Row.

At the eastern extremity of Albion Row, a street composed of small but neat houses, north of Queen's Street, is erected a very neat and elegant Chapel for an Independent Congregation, 60 feet by 50, and so constructed as to preserve the uniformity of the street.

Baptist Chapel, Elder Street.

In Elder Street, a Chapel has lately been erected upon a very small scale, for a Congregation of Baptists.

Episcopal Chapel, York Place.

This edifice is now building by the very respectable Congregation which attends the Cowgate Chapel, attracted by the eminent pulpit orators by whom its services are now administered, (Rev. Mess. Alison and Morehead.) To most of the auditors this situation is now become remote and inconvenient. The present Chapel, according to estimate, will cost upwards of L.9000. It is situated at the east end of York

Place. The length will be 116 feet; the breadth 73; the height of the body of the church 50 feet; that of the towers 75 feet. The smaller pinnacles will rise 14 feet above the body. The altar window, will be 32 feet high and 13 wide, and will look to the east. Another window, almost equally large, and also highly embellished, will be placed on the west side of the building. The principal entrance will be on the west; but there will also be two entrances, similar to each other, on the south. The interior, particularly the roof, will be very highly ornamented.

Bishop Sandford's Chapel.

Among the modern ornaments of the city, the English Chapel erecting at the extremity of Princes Street, towards the west, and adjacent to the West Church, will form an unrivalled figure. The workmanship does great honour to the builder, who has now proved himself equal to any in Scotland. This magnificent structure is 112 feet long from east to west; 62 in breadth from south to north. The spire is to rise to the height of 130 feet. In one end a window is to be situated 30 feet long and 17 broad, which will produce a very fine effect. This Church, when completed on the proposed plan, will be unequalled in Scotland, if not in Europe.

St George's Chapel, York Place.

An English Chapel, dedicated to St George, was built in York Place in 1794, after a design in Gothic architecture, by Mr Adam. The Chapel is small, but commodious and neatly finished.

Catholic Chapel.

An elegant Roman Catholic Chapel is now built in the vicinity of Corri's Rooms, north from the head of Leith Walk, fronting Broughton Street, in place of the one which was burnt in the year 1780. The purest Gothic architecture is studied here; the door enters by a pointed arch supported on columns, and the windows are also pointed above. Pinnacles, according to the antique, rise from the front, which is to the east, and produce a fine effect to those who admire the stile adopted. The chapel is about 100 feet long, by 52 broad.

Physicians' Hall.

The Medical Profession is very celebrated in this city. It consists of two royal colleges, the one of Physicians, the other of Surgeons. They hold their public meetings in a beautiful edifice in George's Street, perhaps unequalled in this city, called Physicians' Hall. It is built after the antique, and is in dimensions 83 feet by 63. The entrance is gained by a flight of steps to a portico, supported by four columns of the Corinthian order; and within is a spacious hall, with a gallery supported by ten fluted columns.

Assembly Rooms.

The Assembly Rooms, though rather heavy looking on the outside, are extremely elegant and commodious within. The largest room is 100 feet long and 40 broad, being exceeded in its dimensions by none in the island, the large one at Bath excepted. The building contains a variety of other apartments every way suited for the purposes intended.

Corri's Rooms.

In 1788, at the head of the great road from Edinburgh to Leith, a large and expensive building was erected by subscription, called the Circus. The money received for the first four months of this exhibition was L.3000. In 1792, this Circus was converted into a Theatre. It is again altered, and frequently used for balls, concerts, and other purposes. The rooms are large and very elegant.

Nelson's Monument.

A structure of 102 feet high, in some respects excels any building we have mentioned. From its height we have an interesting prospect of the Forth and its shores; of the New Town, and the beautiful fields by which it is skirted on the north; the Castle, the Old Town, Arthur's Seat, Salisbury Craigs, and an extent of scenery difficult to describe. The same objects may be seen from other eminences, but the order being different, the effect they produce is almost as great a novelty as if they had never been seen before. The view from Corstorphine hill is singularly grand. The Bridge on the Queensferry road, above the village of Water of Leith, is another point from which the beautiful scenery about Edinburgh may be viewed to great advantage. In the hollow to the east is St Bernard's and the Jubilee Wells, Deanhaugh,

and Stockbridge, terminating with a view of the Frith of Forth, which renders the prospect so delightful, that every lover of the picturesque who sees it must be highly gratified. Originally we were led to believe the ground floor and wings were to be occupied by old worthy Tars, who had been wounded in the service of their country. We, however, find the place rented to a publican, restricted from selling liquors; but when certain leading characters of the city are to dine there, they send their own wines before dinner.

Bridewell.

"This is a spacious modern building, standing in a very conspicuous situation on the Calton Hill. It was founded in 1791, and opened for the reception of petty offenders in the year 1796. The expence of its erection was defrayed by an assessment on the inhabitants of the city and county, so judiciously apportioned as to prove no burden, and in aid of L.5000 from government. In addition to the petty offenders sent here, the commissioners who manage it, are authorised, by a recent statute, to fit up apartments for those unfortunate females labouring under disease, which renders it prudent to separate them from the mass of society. The body of this edifice approaches a semicircular figure: it consists of five stories, containing a number of cells; and the Governor's house is so placed, that he can easily see all that goes on within them, and that in concealment from the prisoners. There are thirteen apartments for the purpose of labour in each storey, with a grating in front, and looking into an inner court. The bedchambers look to the opposite direction, and are lighted by a long narrow window with glass, opening on pivots: each is about eight feet long by seven in breadth, and is provided with an iron bedstead, a straw mattrass, and a Bible. Wood is excluded in the structure of the edifice, except for doors to the apartments. Prisoners, on being received, are clothed in a costume peculiar to the place; and their own clothes, after being cleaned, are reserved to be restored to them at the time of dismissal. Their food consists of porridge, beer, and broth; and those who are industrious, may procure an enlarged allowance, together with bread. The sole employment of the convicts is spinning by the women, in which many excel, thus proving the industrious habits originally implanted in the people of Scotland; and the men pick oakum, or are sometimes employed in digging a garden annexed to the place. Both sexes are allowed payment for their work at a small rate, which is nevertheless still a stimulus to industry; but the expence of their maintenance is deducted. The whole house is under excellent management; and prisoners, except for the infamy,

find it a lighter punishment to be sent there a second time than at first."

The New Jail Erecting on the Calton Hill.

Adjacent to the Bridewell, and south-east of the Regent Bridge, is a public building worthy of notice. The centre and wing stories rise to the height of four; the rest only to three stories. The whole of the lowest story is laid out for day rooms and arcades for airing or walking in wet weather. The centre story is intended for a chapel. The upper stories on the two wings are designed for infirmary rooms. The cells, 58 in number, are arranged on each side similar to the Bridewell, with a passage along the middle between them, terminating at the chapel from both extremities. The governor's house is to be erected on the south upon the rock called *Ramsfauld*, consisting of a committee room of a circular form 25 feet in diameter, a store room of the same size below, a house and other accommodations for the governor. A watch tower is to be erected between the Jail and the governor's house, from whence he may see all the prisoners in the court or airing ground, which is divided into 7 small courts of a circular form, 60 or 70 feet by 30, all pointing to the watch tower. The whole is to be surrounded by a high wall with a small court in the entry or gate-way.

Grand Masonic Procession, at laying the Foundation of the Regent's Bridge, and New Jail.

Several improvements are suggested in the city, and neighbourhood. Of these the Regent's Bridge is the most important. It was founded on the 19th of September 1815, when a Masonic Procession took place, far excelling any ever seen in Edinburgh, both in number, splendour, and regularity, of which the following is an exact account:—

"Before ten o'clock, the military had begun to arrange themselves; and by eleven, the whole streets through which the procession was to move, were lined in the most perfect order.

The music of the different lodges was now at intervals heard, swelling upon the ear, as the brethren, moving off from their different lodge-rooms to the appointed place of meeting in the Parliament Square, occasionally broke in upon the long suspense of the impatient and expectant multitudes; the appearance of a dull uniformity was removed, and effect given to the whole, by the different decorations assumed by the lodges in allusion to their several titles; and sometimes, too, a smile was produced on the countenances of the spectators, by peculiarities in the costume

of the Tylers, by whom the various Lodges were preceded. Among the latter, none seemed to draw more attention than a gigantic figure mounted on horseback, and decked out in all the majesty of "nodding plumes, and mail romantic," who, like the ghost in Hamlet, marshalled the way to the lodge Roman Eagle.

At twelve o'clock, the Grand Lodge having in due form been opened in the High Church aisle by the Right Worshipful William Inglis, Esq. substitute grand-master, (the most worshipful and Right Hon. James Earl of Fife, &c. acting Grand Master under his Royal Highness the Prince of Wales, accompanied by the Right Worshipful and Right Hon. Earl of Dalhousie, and a past grand master, having afterwards entered the lodge,) a communication was received from the Right Hon. the Lord Provost, that the Magistrates and Council, with the Parliamentary Commissioners, were assembled at the City Chambers, and ready to proceed. Shortly afterwards, these bodies, preceded by the city constables, and the band of the 6th regiment of dragoon guards (mounted), took their station in the High Street, where they were immediately joined by the brethren, and the procession proceeded from the Parliament Square, down the High Street, North Bridge, Register Place, Leith Street, to the Low Calton, the place where the Regent's Bridge is to stand; when the foundation stone was laid by the Grand Master, with the usual ceremonies used on such occasions. After which, the Grand Master addressed the Magistrates and Brethren in a short speech, to which the Lord Provost made an eloquent reply, which was loudly applauded. When silence was restored, the brethren again formed themselves in their proper order, and the procession moved off to lay the foundation of the New Jail on the Calton-hill. Arrived at the proposed site of the New Jail, the Lord Provost, Magistrates, Commissioners, and the Grand Master, &c. took their different stations on the platforms prepared for them, when the foundation stone of the building was laid with similar ceremonies as those used at the Regent's Bridge. On this occasion the Grand Master, the Lord Provost, and Sir William Rae, Sheriff of the county, severally addressed the gentlemen present. The procession then returned, the junior lodge, which had been the last, being now the first, the Magistrates and Commissioners being placed in the centre, and the grand office-bearers, preceded by the attendant proxies, closing the whole.

When the junior lodge arrived opposite the Royal Exchange, it stopped, and the procession opened to the right and left, within the military; while the Lord Provost, Magistrates, and Parliamentary Commissioners, followed by the Grand Master, office-bearers, and attendants, passed up the centre, the brethren being uncovered. After the Magistrates had returned to the City Chambers, the Grand Master and brethren proceeded to the Parliament Square, in their first order, the junior lodge,

which had been the last to leave, being now also the last to enter the square.

The masters of lodges and their wardens left their lodges, and with the proxies and their wardens, joined the grand lodge in the Church Aisle, when, after a short address from the Substitute Grand Master, the lodge was closed.

The procession throughout was conducted with a propriety and regularity that left nothing to be desired. Every thing was arranged with most perfect decorum. To the officers commanding the military who lined the streets, not only the bodies forming the procession, but the public in general, are highly indebted. It would be impossible to say enough of the order and precision of deportment which was preserved, mainly through their arrangements. Notwithstanding the unfavourable state of the weather, on no occasion, perhaps, was there ever seen so immense a crowd of spectators. Every window was filled; every corner from which a view of the procession, as it moved along, could even partially be commanded, was crowded to excess. The streets, the Bridge, and front of the Register Office, formed one continued throng; and the Calton-hill, covered to the very summit, harmonized with the whole, and finished off the scene with admirable effect. There was, in short, nothing to regret;—and it is pleasing to learn, that, notwithstanding the great concourse of spectators, not the slightest accident occurred.

The number of Masons in the procession was upwards of 2000."

New Edinburgh.

The New Town consists of two divisions. The first completed, and the other rapidly proceeding. The principal streets are Princes Street, George Street, and Queen Street. Princes Street is about 4111 feet long, and 100 broad, extending from the North Bridge to the west end of the town, and carried forward by the union of Maitland Street and Sandwich place. The view of Nelson's Monument to strangers coming from the west along this street is a very attracting object. George Street extends along the centre, in length 2640 feet, and in breadth 115. On the east it is terminated by the beautiful Square of St Andrew's, and on the west by Charlotte Square, where the buildings are executed in a very splendid style. In grandeur, elegance, and uniformity, this street excels any in Europe. Queen Street running in the same direction on the north side, is about 4440 feet long, and 100 broad. Rose Street and Thistle Street are narrow inferior streets, extending in the same direction. There are several small streets which cross these, and add much to the pleasure and convenience of the place.

In the second or northern division, several streets are already finished; some extending from east to west, and some from south

to north. As the New Town was begun on the east, the houses in that part are very inferior, but as they advance they increase in excellence and beauty. From the same cause the houses in the northern part greatly excel in elegance.

At the east end of Queen Street stands York Place, where elegant houses are erected on each side; and east of it, Picardy Place, joining Leith Walk. In this part there are several small streets built in a neat and uniform manner.

Butcher, Fish, Poultry, and Vegetable Markets.

The public markets have undergone great improvements. Instead of the fish market being a nuisance in the very center of the town, and the green, or rather vegetable market, occupying the sides of the high street, such an arrangement has taken place, that the green market, the veal, the higher and lower flesh markets, and the fish market, are contiguous; so that the inhabitants may be supplied with every necessary article for the table in the same route. Each of these markets are also under proper regulations, and kept in the cleanest manner. Such is the plenty of country provisions, and vegetables, that upon Saturday's, in the morning, the whole street is crowded.

LITERARY SOCIETIES.

Royal Society of Edinburgh.

There are various societies in this city for the cultivation of science and literature, the principal of which is the Royal Philosophical Society. Associations of learned men are numerous on the continent, and some of them have subsisted long. The Royal Academy of France preceded the Royal Society of London; but a much longer interval elapsed before any similar association was formed in the Scottish capital, for the first was not of earlier date than the year 1718. But the institution of the Royal Society, as now established, was incorporated by royal charter on the 29th of March 1783, and has for its object the cultivation of every branch of science, erudition, and taste. Its rise and progress towards its present state was as follows: In 1718, a literary society was established in Edinburgh by the learned Ruddiman and others, which in 1731 was succeeded by a society instituted for the improvement of medical knowledge. In 1739, the celebrated Maclaurin conceived the idea of enlarging the plan of this society, by extending it to subjects of philosophy and litera-

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ture. The institution was, accordingly, new-modelled by a printed set of laws and regulations, the number of members was increased, and they were distinguished from that time by the title of *The Society for Improving Arts and Sciences*, or more generally by the title of *The Philosophical Society of Edinburgh*. Its meetings, however, were soon interrupted by the disorders of the country during the rebellion in 1745; and they were not renewed till 1752. Soon after this period the first volume of the Transactions of the Philosophical Society of Edinburgh was published, under the title of *Essays and Observations, Physical and Literary*, and was followed by other volumes of acknowledged merit. About the end of 1782, in a meeting of the Professors of the University of Edinburgh, many of whom were likewise members of the Society, a scheme was proposed by the Rev. Dr Robertson, Principal of the University, for the establishment of a new society on a more extended plan, and after the model of some of the foreign academies. It appeared an expedient measure to solicit the royal patronage to an institution of this nature, which promised to be of national importance, and to request an establishment by charter from the crown. The plan was approved and adopted; and the Philosophical Society, joining its influence as a body in seconding the application from the university, his majesty was most graciously pleased to Incorporate the Royal Society of Edinburgh by Charter.

This Society consists of ordinary and honorary members. The honorary places are restricted to persons residing out of Great Britain and Ireland. The election of new members is appointed to be made at two stated general meetings, which are to be held on the 4th Monday of January, and the 4th Monday of June. A candidate for the place of an ordinary member must signify by a letter, addressed to one of the members, his wish to be received into the society. He must then be publicly proposed at least a month before the day of election. If the proposal be seconded by two of the members present, his name is to be inserted in the list of candidates, and hung up in the ordinary place of meeting. The election is made by ballot, and is determined in favour of a candidate, if he shall have the votes of two thirds of those present, in a meeting consisting of at least 21 members. The general business of the Society is managed by a President, two Vice-presidents, with a council of 12, a general Secretary, and a Treasurer. These officers are chosen by ballot annually on the last Monday of November. All public deeds, whether of a civil or of a literary nature, are transacted by this board, and proceed in the name of the president or vice-president.

The society is divided into two classes, which meet and de

liberate separately. The *Physical Class* has for its department the sciences of mathematics, natural philosophy, chemistry, medicine, natural history, and whatever relates to the improvement of arts and manufactures. The *Literary Class* has for its department literature, philology, history, antiquities, and speculative philosophy. Every member is desired, at his admission, to intimate which of those classes he wishes to be more particularly associated with; but he is, at the same time, entitled to attend the meetings of the other class, and to take part in all its proceedings. Each class has four presidents and two secretaries, who officiate by turns.

At these meetings the written essays and observations of the members of the society, or their correspondents, are read publicly, and become the subjects of conversation, after having been announced at a previous meeting. The author of each dissertation is desired to furnish the society with an abstract of it, to be read at the next meeting, when the conversation is renewed with increased advantage, from the knowledge previously acquired of the subject. At the same meetings are exhibited such specimens of natural or artificial curiosities, such remains of antiquity, and such experiments as are thought worthy the attention of the society. All objects of natural history presented to the society are ordered, by the charter of the institution, to be deposited, on receipt, in the museum of the University of Edinburgh; and all remains of antiquity, public records, or ancient MSS. in the library belonging to the Faculty of Advocates.

Several volumes of the Transactions of the Society have been published, which bear ample testimony to the learning and acuteness of their various authors.

Society of Scottish Antiquaries.

This is another respectable literary and philosophical Society, instituted at Edinburgh in 1782, and established by royal charter at the same time with the preceding. The Earl of Buchan was the founder of it, and indeed may claim the merit of having given birth to *both* Societies; for the *Royal Society of Edinburgh*, above described, although it certainly did exist as a private *Philosophical Society* from the period above mentioned, in all probability would never have existed in any other form than that of a *private* society, if his lordship had not applied to his majesty for a royal charter to the Society of Scottish Antiquaries. An opposition unexpected, and not altogether liberal, was made to his lordship's application, by some of the old members of the Philosophical Society; but all opposition was happily quashed by his majesty's

graciously granting two royal charters, and thus instituting both Societies at the same time. The consequence is, that many of the most respectable literary characters in the kingdom are members of both Societies. And as the objects of both are also much the same, as well as their general routine of business, it is unnecessary to enlarge farther.

Royal Physical Society.

This is another Society, instituted about 1786, upon the same principles with the Medical, and conducted upon the same plan. It is also established by royal charter. This Society has an elegant Hall, built on purpose for its meetings, in North Richmond Street, near the Public Dispensary, and has also an excellent Library.

Wernerian Society.

A society for the promotion of Natural History was instituted about the same period as the former: many valuable compositions were read in it during a series of years, and a small library was collected for its use. But after having declined for some time, it may be said to be entirely supplanted by the Wernerian Society of recent institution, which embraces the same objects. The name, however, is considered as inferring something circumscribed, and is therefore unpopular; for the public justly consider that they ought not to be fettered to any particular tenets in natural history, and least of all to geological theories, yet of such uncertain foundation, and on which the reputation of Werner is principally founded. Some of the most intelligent naturalists have been deterred by these considerations from joining it. Two volumes of Transactions have been published.

Horticultural Society.

This Society was established in 1809. The promotion of Natural History is its grand object, and to accomplish this, premiums are awarded for the best specimens of fruits and flowers at certain seasons. Six numbers of their Memoirs are already before the public, which are highly interesting.

There is another Society in Edinburgh which has the same object in view, *The Caledonian Gardener's Society*, chiefly restricted to practical persons.

Astronomical Institution.

A Society for promoting Astronomical Science was lately instituted; and now consists of many respectable individuals. As yet it has produced no Transactions; but by means of its exertions, an Observatory, erected some years ago on the Calton-Hill, a situation particularly favourable, has been judiciously repaired, provided with several good instruments, and is likely to be preserved in such a condition as to prove useful to the public.

Highland Society.

This is another association, on a more comprehensive establishment than any of those we have hitherto mentioned, which may be described as a great Patriotic Economical Society. "This association was originally formed for promoting the welfare of the Highlands of Scotland, and is called the Highland Society; but its views are at this day greatly extended, and whatever is connected with the prosperity of the country at large is brought within the sphere of its patronage. Thus it is occupied in advancing the interests of agriculture, manufactures, and the arts, by offering premiums for competition; and all useful inventions and improvements, relative to the same objects, though not originally proposed by the Society, are also recompensed. To attain an accurate knowledge of the real state of the country, different districts are periodically selected, and premiums offered for the best report regarding them; the culture of certain vegetables, promising utility, is encouraged; the adoption of instruments of agriculture and machines, which have come to the knowledge of the society, is recommended; and when ingenious mechanics, in indigent circumstances, have devised models which apparently might be beneficial, if executed on a sufficient scale, are unable to complete them, sums have been bestowed for that purpose. About L.650 is yearly distributed in premiums; a gold medal is occasionally bestowed, and sometimes pieces of plate to those whose merits seem to entitle them to it. The ample funds of this society, the patriotic spirit of its members, and the countenance which it receives from government, all contribute to its general utility and importance. It now consists of about 1500 members, and volumes of Transactions are occasionally published."—*Edin. Encyclopædia.*

BENEVOLENT INSTITUTIONS.

Society for the Sons of the Clergy.

The Society for the Sons of the Clergy of the Established Church of Scotland was instituted at Edinburgh in Feb. 1790, and was constituted a body corporate by royal charter in 1792. The society, after several meetings, are of opinion, that the period in which the families of clergymen feel most urgently the need both of friends and of pecuniary aid, is that which commences with the introduction of their sons either to an university or to business, and terminates with their establishment in their respective professions; that many of the ministers of this church, living at great distances from the seats of universities or of business, possess incomes, which, in the present state of the country, are inadequate to the purposes of procuring for their sons either the literary or professional education, which might enable them to come forward with credit and success in the world; that the sons of clergymen, from domestic tuition and example, have, in general, very advantageous means of receiving in their early years the impressions of virtue and honour, together with the rudiments of liberal knowledge; and that, of course, the public interest may be promoted by enabling this class of young men to obtain their share in the respectable situations of life. The views of the Society have been limited to the sons only of clergymen; as they are of opinion, that within the limits which they have fixed, the field of beneficence will be still very extensive, and the claims for aid as many and as great as their funds can be supposed able to answer, at least for many years to come. If the Society shall ever be in a situation to undertake more than the aids which will be necessary in bringing forward the sons of the clergy, it may then be considered in what manner the daughters also may become sharers in its bounty.

Edinburgh Institution for the Deaf and Dumb.

Arnot, with his usual accuracy and extent of information, has delineated the plan of Mr Braidwood in teaching the deaf and dumb, and expresses his benevolent wish that the art might not perish with the inventor. It is with pleasure we now inform our readers that in June 1810, a public Institution

was formed for the education of that unhappy part of our race. This Institution is conducted by a President, Treasurer, Life and Annual Governors. The conditions upon which these are admitted are a subscription of *One Guinea* annually for a governor; *Ten* for a governor during life; and L.200 for a life governor, and the right of a child upon the foundation. The age of admission is from nine to fourteen, with attestation of being deaf and dumb, and also having had the small pox.

An advertisement which appeared in the Edinburgh Evening Courant, August 10, 1815, signed by ten Ministers and a Professor, and an extract from a Minute of a General Meeting on the 3d of February 1816, will afford the reader a short view of this Institution.

"On Wednesday, the 2d current, we whose names are subjoined, were present at an examination of the Pupils belonging to the *Edinburgh Institution for the Deaf and Dumb*. On this, as on former occasions, we were highly gratified with their attainments in the different branches of Education to which their attention had been directed. In the knowledge of Arithmetic, of the Meaning of words, and of the Sacred Scriptures, they had made great proficiency. A considerable proportion of them articulated very distinctly, and some of them recited with wonderful accuracy and ease. Specimens of their Composition also were produced, chiefly of a descriptive kind; and evidently shewing, that notwithstanding the melancholy disadvantages under which they labour, their minds are capable of more activity, more improvement, and consequently more enjoyment, than is commonly supposed. Their countenances in general indicated a degree of cheerfulness which we should scarcely have expected, and which is to be accounted for, chiefly by the new means of employment they are provided with, and the new sources of pleasure that are opened up to them, by that system of tuition under which they are happily placed. On the whole, we had decisive proofs of the skill, diligence, and affection, with which the Teacher, *Mr Robert Kinniburgh*, discharges the important duties of his situation, and do most earnestly recommend the Institution which he so successfully conducts, and which is so well calculated to promote the welfare of a helpless and interesting portion of our species, to the countenance and patronage of a benevolent public.

"The Pupils, 49 in number, were examined in writing and arithmetic, and the various other branches of education, which can be communicated to persons in their unfortunate situation. The facility with which they defined abstract terms, shewed how well their minds were stored with general information. Various specimens of recitation were given; one of the Pupils,

in particular, distinctly recited a poem of some length, on the subject of the Institution; and it appeared that they had made great progress in articulate language since their last public examination. The company were likewise much gratified by the reading of a variety of compositions by the Pupils; they were especially delighted with, "A Morning Prayer," and a "Visit to the Panorama of Waterloo," by Joseph Turner; and a letter from Helen Hall to a young person in America, of her own sex, and labouring under the same deprivations."

The progress of the Children may be seen every Wednesday from 12 to one o'clock; but on no other day without an order from one of the Secretaries, or from one of the Committee.

Asylum for the Industrious Blind.

In the year 1795, an Asylum for the Industrious Blind was instituted, principally under the auspices of the Rev. Dr Johnstone of North Leith, which is supported by voluntary contribution, and the produce of labour. Nothing merits greater commendation than the mode of conducting this establishment. The objects of the Institution are taught all kinds of employment adapted to their unfortunate situation; and, from the judicious management, the produce of labour exceeds that of other institutions of the same kind, where the numbers are greater. Here mattrasses of hair and wool are made; matts and baskets of every description; and some of the blind have even been occupied in weaving. Articles of their manufacture are on sale at the Asylum, which is open for the inspection of the public.

It must give pleasure to every humane mind to learn, that several of the Blind, who have been instructed in different branches of manufacture, have left the Asylum, and are engaged in business on their own account; and that, in consequence of the habits of industry acquired in the Asylum, they are now independent, earning a comfortable subsistence for themselves.

Society for Suppression of Begging.

This Society was instituted in the beginning of the year 1813, for the suppression of Begging, for the relief of occasional distress, and for the encouragement of industry among the poor. All these different objects have been effected. The city is almost freed of beggars, a great number of suffering individuals have been relieved, and a considerable quantity of

work produced by those who were willing and able to labour. During the first eight months of the Institution, 622 persons applied for relief, of whom 456 were females; and it would appear, that the applicants had 481 children dependent on them. Every case is strictly investigated, both to shun the hazard of deception, and to afford the proper means of relief. It is then referred to one of several committees, by which it is suitably disposed of. This Institution is entirely supported by voluntary contributions, and the produce of labour.

Magdalene Asylum.

The design of this Institution, is to shelter, and occupy in useful labour, those females who may be reclaimed from prostitution to the paths of virtue. A magnificent edifice was built for their reception in 1797, north back of Canongate, and they are not exposed to common view. In the ground-floor is a chapel, where public worship is performed every Sabbath evening. The females are not seen, but sing an appropriate hymn by themselves, previous to dismission. A collection is taken at the door. The work performed there is spinning, sewing, washing, and other occupations; and, unlike most charitable establishments connected with labour, the return nearly equals the expense of subsistence. One-third of the value of the work is allowed to the females for clothing. From the date of the Institution, in 1797, until the first of January 1813, there had been received into the Asylum 202 females; 33 of whom had claimed protection during the preceding year. Of all that number, only 23 exceeded 24 years of age; which perhaps goes to testify, that vicious habits, when long rooted, become incurable. Most of the whole had been discharged, and sent to service, or were reconciled to their relations; but some proved irreclaimable. There then remained 59 in the house. It is singular to remark, that although other vices are eradicated, no instance has yet occurred of reformation from drinking; another proof added to a thousand others, of the pernicious effects attending the use of ardent spirits. The expenditure of the house for the year now referred to, was L.1081; while the receipt was L.1099. Of this, the expence of subsistence amounted to L.733; and the produce of labour to L.528. The funds arise from collections, annual subscriptions, occasional donations, and the value of the work done in the Asylum; but as there is no more than sufficient, even with rigid economy, to support the establishment, cases of a very distressing and urgent nature are sometimes necessarily rejected.

Repository, and House of Industry.

These are other two Institutions on a smaller scale: one called the Repository, which is a wareroom where the better class of females may privately send their needle-work to be disposed of; the other called the House of Industry. The latter is for the purpose of affording assistance to aged females wanting employment, and for training the young to industry. It is divided into three branches; spinning, the manufacture of lace, and a school for servants. The spinners have sometimes amounted to 30, and the lace-workers to 24, several under 12 years of age. Each is paid for the work performed, after deduction for materials and the expence of the institution This society has a peculiar claim on female protection; and doubtless, the Ladies will in general be anxious to aid an institution which has for its object the relief of the industrious, and the protection of the friendless.

New Town Dispensary, 3, King Street, St James' Square.

"THE objects of this Institution are to afford Relief to Sick "and Diseased Poor, to give attendance upon Lying-in-wo- "men, and to inoculate for the Cow-Pox.

"For these purposes, medical and surgical attendance will "be given every day, (Sundays excepted,) from one to two "o'clock, at the Dispensary, where advice and medicines will "be administered to all patients applying in person, whether "from town or country, on presenting a recommendation "from a subscriber, or from the clergyman of the parish or "congregation to which they may belong; and those, whose "situation may require it, will be visited at their own habi- "tations, within the limits of the New Town district and its "immediate vicinity.

"Poor Lying-in-women, provided with the recommenda- "tion already mentioned, will be attended, on application "being made at the hour of visit at the Dispensary, or at "other hours, at the houses of the Physician-Accoucheurs.

"All children, for whom application is made, will be ino- "culated for the Cow-Pox *gratis*, every Tuesday and Friday, "without any recommendation being required.

"It is proposed that the Institution shall be supported by "voluntary contributions, and that certain moderate annual "subscriptions shall entitle the subscribers to recommend pa- "tients, and to become governors; that the governors shall "have the patronage and management of the Institution, and "shall elect the office-bearers and committees; and that the

" medical officers shall consist of two physicians, two surgeons, " and two physician-accoucheurs, all of whose appointments " shall be permanent.

" Every person subscribing to this Institution shall be en- " titled to have one patient on the books for every five shil- " lings annually subscribed. A subscriber shall be entitled to " depute another to recommend patients in his or her stead ; " and when any patient has been three months on the books, " the person recommending the patient shall be at liberty to " recommend another, in the same manner as if the first pa- " tient had been dismissed.

" Subscribers of ten shillings or more, yearly, shall be go- " vernors so long as their subscriptions are continued.

The New Town Dispensary was opened on the first of September 1815, and since that time 766 patients have entered on the books, and received assistance from the Institution.

Of these there were medical and surgical patients	509
Midwifery patients	36
Children inoculated for the Cow-Pox . .	221
	766
Of the medical and surgical cases, there have been cured	228
Relieved, or recommended to the Infirmary .	50
Died	17
Remain on the books	214
	509

Besides the midwifery patients, 182 have required to be confined to their houses, where they have been regularly visited.

It ought to be remarked that this statement includes the first month, when the existence of the Dispensary must have been in a great measure unknown to the poor, and during which, only 112 applications were made for relief."

Edinburgh, January 1, 1816.

Society for Promoting Religious Knowledge among the Poor.

This Society was established in 1786 ; the object of the institution is to afford, by establishing Sabbath Evening Schools, the means of religious instruction to the poor, particularly the younger classes, among many of whom it had been observed the grossest ignorance prevailed. The number of Schools at present on the Society's establishment is 29, and the number of scholars amounts to upwards of 2000. Schools have been erected in several manufacturing towns, and country

parishes, in different parts of Scotland, and even in remote stations in Orkney and Zetland.

The Society distribute among the poor the Scriptures, and religious books, which they also dispose of at low prices, to such as purchase for private distribution.

Edinburgh Missionary Society.

Many individuals in this city, commiserating the deplorable condition of six hundred millions of our fellow-creatures involved in the grossest ignorance, and attached to the most degrading traditions of a deluded ancestry, in March 1796 formed themselves into a Society under the above designation, with a view to promote the best cause in the world, the cause of Christian philanthropy, and of divine truth. In the prosecution of their object, men of ability and piety are selected and educated for Missionary labours, and in due time sent forth to instruct their fellow men in the knowledge of the true God, and the way to eternal life by his Son Jesus Christ. The principal missionary station of this Society is at Karass in Russian Tartary, from whence, as well as from Astrachan, the Crimea, Orenberg, and other places in that district, the most pleasing accounts have lately been received of the success attending the labours of the missionaries.

Edinburgh Bible Society.

This Society was established in 1809. The sole object of this institution is to encourage a wider circulation of the Holy Scriptures. In accomplishing this object, the Society distribute only the authorized version, without note or comment. It has the same grand design in view which is held forth to the public by the British and Foreign Bible Society, and acts in concert with it, or separately, as circumstances require. It is impossible to peruse the interesting reports of this Society, without feeling the liveliest gratitude. Fifty-nine Auxiliary Societies, or Associations, have been formed in aid of the funds of this Society. Upwards of L.6000 have been voted to the British and Foreign Bible Society, and nearly L.3000 have been voted to other Societies in aid of printing or circulating the Scriptures, since the formation of this Society.

Scottish Bible Society.

This Society was formed nearly at the same time with the last mentioned, by the Ministers of the Church of Scotland, but as they have published no reports of their proceedings, we can give no account of its progress.

Gaelic School Society.

This Society was established in 1810. The object of the institution is to teach the inhabitants of the Highlands and Islands of Scotland to read the Holy Scriptures in their native language. The cheapest, most expeditious, and most effectual method which the Society could devise for promoting their benevolent views, was the erection of Circulating Schools, which are widely extended; but their attention is confined as much as possible to those parts of the Highlands and Islands which are not destitute of education. The number of Schools at present (1816) under the charge of the Society is upwards of 60. The reports of this Society are of the most interesting nature.

Gratis Sabbath School Society.

This Society was established in the year 1797. The number of Schools which the Society have under their care in this city, and its neighbourhood, is 64; and the number of young persons who attend their Schools exceeds 4000.

They are instructed in the principles of the Christian religion by members of the Society, who give their services *gratis*. Premiums are frequently awarded to excite emulation, and to encourage diligence. The Society have been honoured to receive many pleasing accounts of the success of their labours among the young. By the last report of this Society it appears the expenditure does not average above one shilling per annum for each scholar. Although nothing is paid by this Society to their Teachers, yet a considerable sum is required annually to pay school rents, coals, candles, and other incidental expences.

Lancastrian Schools.

There is a Lancastrian School Society, having three large Schools under its care, where the Children of the Poor are well taught, partly gratis, and partly at a very moderate rate. The Kirk Sessions have also a Lancastrian School under their management, and ten Sabbath Schools attended by about 600 poor children, who go regularly to church, and are instructed by competent masters in the principles of religion.

Religious Tract Society.

"This Society was established in this city several years ago, with a view to stop the circulation of immoral ballads, and publications of a similar kind, which were then widely circulated through the country. To attain this end, the Society have continued to print, at proper intervals, short and interesting narratives, and other tracts of a moral tendency, which are sold to hawkers at a very low price. The object of the Society has been realized to a degree beyond their most sanguine expectations; and they have had, on various occasions, accounts of the beneficial effects of their publications."

African and Asiatic Society.

"This institution was formed in the year 1809, for the purpose of affording the means of education and religious instruction to those natives of Africa or Asia, and their descendants, who might come to this city; to relieve them when in distress; to provide situations for such as might be out of employment; and to extend protection to any of those individuals who should be exposed to injury or oppression.

In pursuing these objects, the members of the Society have found a more extensive field of exertion than they could at first have anticipated; and in one or other of the above departments of their plan have given assistance, since its formation, to more than a hundred and fifty individuals.

A meeting is held with the objects of the Society's care, for the purpose of religious instruction, every Sunday evening, in Warriston's Close."

Beneficent Society of Edinburgh.

"This Society was instituted Dec. 23, 1805, for promoting the industry, supplying the wants, and increasing the comforts of several indigent classes of the community; of those especially which are not the objects of other Public Charities. The Directors and Visitors have held regular meetings; the former twice, the latter once, every week, in the Hall of the Public Dispensary, which they found the most convenient place. The Directors are happy in being able to report, that the objects and engagements of the Society have been satisfactorily fulfilled, so far as can be expected upon a trial of the first three months. Two, and in some cases three, Visitors have accepted, in each of the Forty Districts into which the sphere of the Society's operations is divided. Cases of extreme indigence, and of the deepest misery, have fallen under their

notice. One or two have been applied for, absolutely, or almost naked, covered with ulcers, and over-run with vermin and filth; who had no shelter during the night, but in stairs, or under arches, or at the corners of streets. But now they are clothed, cleansed, lodged, and permanent support found for them. At Whitsunday, a large room in the Pleasance was opened as a Repository, where all sorts of apparel and old clothes, of little value to those who may give them away, will be gratefully received, and carefully made up for the poor. Hats, shoes, stockings, bonnets, and all kinds of garments for males and females, may turn out to be extremely useful. The Directors expect also soon to open a school for teaching children to work straw-bonnets, and another for knitting stockings."—*Brit. Reg.* for 1807.

Society for the Relief of the Destitute Sick.

"This Society was established in July 1785. The object is to afford relief to individuals who are sick or disabled, and thereby prevented from following the occupations by which they provide for themselves and their families, and who are not entitled to the benefit of any other fund.

It is impossible to calculate the advantages which have resulted to the labouring classes of the community from the benevolent and humane exertions of this society. This institution has so completely gained the confidence of the public, that, when the funds are at any time exhausted, the committee have only to let their wants be known, in order to have them supplied. Upon an average, of late years, 1600 persons receive relief annually.

With a view to prevent imposition, every case for which application is made is strictly investigated by two members of the committee, before any relief is afforded. The committee grant and continue their aid, agreeably to the report of the weekly visitors; and it is uniformly endeavoured to administer religious instructions and comfort with the temporal benefit."

Police.

"In 1805, a system of Police was devised; but on trial was found to be in many respects a system of inefficiency and oppression. The obnoxious statute into which it had been embodied was repealed, and, in 1812, a new act, containing a variety of judicious clauses, substituted in its place. The sheriff of the county, and magistrates of the city, are constituted judges of the offences committed within their respective bounds; and they appoint a superintendant of police, who is fiscal or prosecutor on behalf of the public. A number of commissioners are named, under whose charge the streets are cleaned and lighted, and they also take cognizance of other matters connected with the safety and comfort of the citizens. It would be wrong to pass a decided opinion on a system of such short endurance as the present establishment of Police; it is undeniable, however, that the statute in general is prudently and temperately framed; though a most important object, *œconomy*, seems to have been *totally* forgotten. The sum levied from the inhabitants the first year, at the rate of 7½ per cent. on the house rents, which is its maximum, was L.22,000; while the charge of the establishment, including some expences not subject to renewal, was L.25,930."

In 1816, a new bill was brought into Parliament, without the knowledge of the town council, or inhabitants. An outline of the proposed bill first appeared in one of the London Newspapers. The town council, Faculty of Advocates, Writers to the Signet, and all the incorporated bodies, agreed to oppose its progress; but some alterations were made in the bill, and it has been allowed to pass.

The Police Court meet in a corner of St Giles' Church; and a considerable part of it has been fitted up as prisons and cells, for the reception of thieves and robbers.

Periodical Publications.

There are several Newspapers, and Periodical Works, commenced since the time of Arnot. The Weekly Journal, the Weekly Chronicle, the Correspondent*, and the Edinburgh Star, are among the number. Each of these have their peculiar merits, and an extensive circulation, which prove the increased desire for information among the inhabitants of Scotland.

The Farmer's Magazine commenced in 1800, and is publish-

* The Correspondent is now discontinued.

ed quarterly. It is chiefly devoted to the improvement of agriculture, and has proved of vast consequence, in affording a sudden and extensive circulation to recent discoveries, useful hints, and suggested improvements in that department, which are of incalculable advantage to this part of the kingdom.

The Edinburgh Review, or Critical Journal, entered upon its fortunate career in 1802, and 12,000 copies are circulated every quarter. This simple fact is sufficient to prove its internal exellence, and accordingly it has thrown all others of the same into the shade.

Among the largest periodical works at present issuing from the Edinburgh press, is the Edinburgh Encyclopædia, edited by Dr Brewster. It has already reached the 10th volume, and has, we understand, a very extensive circulation.—Another Encyclopædia, which is intended to be confined within 6 volumes quarto, was lately proposed by Dr Miller. It is now considerably advanced, and meets with a great share of the public encouragement.

The Edinburgh Medical Journal is also conducted with superior ability, and has proved of vast importance in promoting the improvement of that science.

The Scots Magazine, and Edinburgh Literary Miscellany, being a General Repository of Literature, History and Politics, &c. published monthly, has been continued for upwards of 70 years.

The Christian Magazine, the Religious Monitor, the Christian Instructor, the Christian Herald, and the Christian Repository, rank among the monthly publications, which tend to circulate religious knowledge, and to prove the religious character of Scotland.

As might naturally be expected, the art of printing, and the number of persons employed, have increased in a great proportion. The account of Arnot, with respect to the origin and progress of printing, is both instructive and entertaining; but to that information we have now to add, that after the close of the war with America, when the trade and commerce of the country had begun to recover from the stagnation which followed, printing, which, in common with the other arts that are deemed superfluous during times of scarcity and distress, had languished considerably, began not only to revive, but to enlarge its sphere in proportion to the unparalleled prosperity with which we were blessed, till the unhappy councils of Mr Pitt's administration involved us in the late war with France. In several of the country towns of Scotland, the press was for the first time established, while the metropolis, justly denominated the Athens of the island, every year witnessed an unusual increase of the artizans employed in that branch of trade. During this inter-

val, Edinburgh had the honour to give birth to the first work on general science which had been published in Britain, namely, the Encyclopædia Britannica, a work which still remains in very high estimation.

The London Press had, however, long maintained a superiority over that of Scotland, in respect of elegance of workmanship. The works that had issued from the press of Bodoni, at Parma, were nearly equalled by those of Bulmer and Bensley, in London. The improvements which that skilful Italian had introduced into the art, not only by the uncommon elegance of his work at the press, and by the use of ink of a more beautiful hue, but by the adoption of a new and more delicate cast of type, had begun to be generally followed among printers who studied the taste and improvements of the day—excepting only by those of Edinburgh, who continued, with their usual established mode of procedure, till a work from a *provincial* press in Scotland awakened their jealousy. This was 'the Minstrelsy of the Scottish Border,' printed at Kelso by Mr Ballantyne. By this *chef d'oeuvre* of typography, Mr Ballantyne was induced to remove his press into Edinburgh; since which time the beneficial effects of rivalship have been clearly perceptible in almost every new work published in the metropolis.

For some years past several ingenious men have proposed important alterations in the mechanism of the printing press. Of these the most prominent is that invented by Lord Stanhope, and a considerable number of them are now introduced into general use. Its object is the abridgment of the Pressman's labour, by taking in a whole sheet at one pull, increasing the power of the lever, and determining the precise weight necessary to bring off the impression. But, in the opinion of many professional men, these improvements, as they are termed, are of small importance. The hand of a skilful workman can regulate his pull with great equality and precision, if proper time be allowed, and the abridgment of his labour at the lever is of no consequence where good workmanship is studied, unless the labour of his neighbour, whose more laborious duty in giving to every sheet a fresh supply of ink, can be lessened at the same time.

Edinburgh, however, has the honour of a discovery, in this respect, of obvious utility. We allude to a press, for which a patent has been granted to the Inventor, Mr John Ruthven, a professional printer. This press is not only new, with respect to the construction, but also in the mechanical principles adopted; the pressure being produced from a combination of levers, without employing the screw, or confining the force applied to a point in the center, as in other presses. The following brief sketch may enable it to be conceived by those acquainted with the art of printing: The types remain stationary; the whole surface

of the sheet is printed by one effort. By means of a regulator, any required pressure may be correctly given. The press will print the smallest piece of work at either end, without requiring any block to bear up the other; it requires no levelling or fixing; and a press for a demy or royal sheet only occupies about four cubic feet. The principles and construction are equally applicable for presses not larger than one cubic foot, and which are capable of printing an octavo or quarto page with greater celerity than a large press; and may be worked on a table without being fixed. It has been submitted to the most eminent scientific gentlemen, and received their decided approbation.

In the late improvements on the face of the type, it is necessary to mention an innovation which still maintains its ground, although its absurdity is every day more and more apparent. We allude to the substitution of the present fantastic Figure in the room of the old Arabic character. The accuracy and precision of the latter have evidently been the result of mature study; in the former, nothing has been studied but the whimsical improvement of making every figure of the same height and dimensions. In the Arabic character, those figures which more nearly approximate in shape, are scientifically varied in the ascent or descent from the centre of the line; witness the 3 and 8, the 9, 6, and 0. In the common workmanship of the press, figures are peculiarly liable to blotching; but the old character, even although completely blurred, is still easily recognized by the varied conformation of its members, while the modern figure, unless it be wrought with a degree of cleanliness and attention, which can hardly be bestowed on newspapers and common reprints, is wholly undistinguishable; the 9, if filled up, becomes 6, or a 0, and the 3 an 8. Indeed, the justice of these remarks must have become so obvious to every one in the habit of perusing a newspaper since this change was introduced, that it is only to be wondered at, that this foolish innovation has not long since been discarded by every printer of discrimination and sound taste.

Of late years, and particularly since the disastrous effects of the late war have been so severely felt, printing in Edinburgh has been, comparatively speaking, at a stand. Although there are at present upwards of 150 presses in the metropolis, the third of them are not employed; and till a general revival of the manufactures of the country take place, no amelioration in the condition of the printing art can be expected.

Printing from Stone.

The Inventor of the above press has lately brought forward, and been employed in improving and applying to practical purposes, the important art of printing drawings, fac similes of let-

ters, &c. from stone. This is rendered much more extensively useful, by being combined with the ingenious press lately invented by Mr Ruthven, by means of which any individual may take off any number of impressions with the utmost ease.

Public Circulating Libraries.

The diffusion of knowledge is justly deemed an effectual means of civilizing a nation: the government itself is materially influenced by it, and thence the happiness of the people. A literary government is mild, but experience proves that a military one is tyrannical and despotic. Thus, in the largest and most popular empire of the world, none but men who have undergone a probation in literature, are admitted to share its administration; and notwithstanding its unwieldy greatness, universal tranquillity prevails: all its measures are mild and paternal.—Edinburgh is very appropriately called the modern Athens. The inhabitants for ages past have been well informed, and many of them have stood foremost in the ranks of literary fame. The desire which prevail for reading and general information may be ascertained, from the number of Public Circulating Libraries. At present there are not fewer than fifteen; the most extensive of which, is the Edinburgh Circulating Library, High Street, originally the property of the celebrated Poet, Allan Ramsay, who began to lend out books as far back as the year 1725, and certainly was the first of that line in Britain. The collection was greatly improved by the late Mr Sibbald, author of the Chronicle of Scottish Poetry, and other miscellaneous works; and since his time it has been enlarged to nearly 30,000 volumes by the present proprietor, Mr Mackay.

Besides the Libraries mentioned by Mr Arnot, there are also the Edinburgh Subscription, Edinburgh Select Subscription, and Edinburgh Biblio-Critical Libraries. The use of these are chiefly confined to the proprietors.

General Newspaper and Advertising Office.

This Institution, the first of its kind in this kingdom, was established here by Mr J. T. Smith, several years ago, and proves to be of no small advantage to the literary and commercial interests of the community; and particularly to men of business, both in town and country; as, by means of it, Advertisements may be inserted, with the greatest facility, in any Newspaper in Europe: And those who wish to be supplied with any of them, may have them furnished with as little inconvenience as if they were published in the city. To

this establishment is added a large and elegant Saloon, where is to be found the most extensive collection of Newspapers in Great Britain, to the perusal of which every respectable stranger, on being introduced to the Proprietors, is most readily admitted.

Here, also, His Grace the Lord High Commissioner, who represents His Majesty, during the sitting of the General Assembly, holds his levees, when it is tastefully fitted up for his reception.

Hotels and Coaches.

Nothing connected with this metropolis is better calculated to give strangers a favourable opinion of it, than the elegance of its Hotels, and the reasonable charges made in taverns and eating houses. They are fitted up for the reception of persons of the first rank, and cannot be surpassed in London. Two shillings and sixpence, or three shillings, for a sumptuous dinner in a hotel cannot be reckoned extravagant. The landlord, however, generally expects to be indemnified by his profits on wines. At present there are fifteen hotels in the New Town. There are also a variety of Coffee Rooms.

EDINBURGH ROYAL MAIL COACH OFFICES.

The intercourse of the capital with other parts of the country may be learned from the number of coaches daily employed.

List of Coaches from No. 1. *Catharine Street.*

Carlisle, through Middleton, Bankhouse, Selkirk, Hawick, Mosspaul, Langholm, and Longtown, at 2 P. M. where it meets the Liverpool and Manchester Mails.

Dumfries, through Noblehouse, Crook, and Moffat, every morning at 9 A. M. where it meets the Portpatrick mail, and arrives there at 10 o'clock, and in time for the packet the next day for Donaghadee, where there is conveyance to Belfast, Dublin, and other parts of Ireland.

Glasgow, through Linlithgow, Falkirk, and Kilsyth, every evening at 9 o'clock, where it meets the Ayr mail, which sets out every morning at 9.

London, through Haddington, Dunbar, Berwick, Belford, Alnwick, Morpeth, Newcastle, and York, where it meets the Hull, Doncaster, Scarborough, and Leeds, as also the Manchester mail, at half past 3.

London (Union), taking the above route per mail to Newcastle and York, through Tadcaster, Ferrybridge, Doncaster, Belford, Newark, Grantham, Coltersworth, Stamford, Stilton, Buckden, Biggleswade, and Hertford, every morning at 5 o'clock.

By the above coach, passengers, by taking their seats through, have the preference of stopping on the road, and proceeding again when there is room.

List of Coaches from No. 10. *Prince's Street.*

Aberdeen, through Kinross, Perth, Dundee, Arbroath, Montrose, Bervie, and Stonehaven, every morning at 9 A. M.

Glasgow, through Calder, Whitburn, and Holytown, every morning at half past 8 A. M. where it meets the Greenock mail, which leaves Glasgow at 4 every afternoon.

Glasgow (Royal George Canal coach), by Falkirk, at a quarter before 10 A. M. every lawful day.

London (Duke of Wellington coach) by Coldstream and Newcastle, at 5 every morning.

Perth (Union), every morning at 10, Sunday excepted, through Kinross, &c. and arrives at 5 o'clock, afternoon. At Perth it meets the Inverness Diligence every Monday and Thursday, and Strathmore Telegraph every lawful day.

Perth (Waterloo), every morning at 9.

Stirling, through Linlithgow and Falkirk, every morning at 9 o'clock.

Stage Coaches.

Dalkeith Royal Mail, by Libberton and Lasswade, at 11 forenoon, and 4 afternoon, from 195, High Street, from Dalkeith 1 P. M. and 7 P. M.

Dalkeith Coach, from Bell's, and Hay's, High Street, at 11 and 12 forenoon, and 7 and 8 evening.

Dunbar Coaches, from W. Bell's, High Street, every day at 9 a. m. and 3 p. m.

Dunbar Coach, from Cameron's, High Street, every day at 4 p. m.

Dunse Fly, from Palfrey's, Cowgate Head, at 8 a. m. Tuesday and Friday.

Falkirk, Forth, and Clyde Canal Coach, (Royal Union) from M'Gie's, Shakespeare Square, daily, at a quarter before 10 a. m. Runs to lock, No. 16.

Fife Union Coach, by Cupar-Fife to Dundee, every morning at half past 7, from Scott's, 36. Princes Street.

Glasgow Morning Telegraph, every morning at 9, from Scott's, 36. Princes Street.

Glasgow Evening Telegraph, every day at 4 afternoon, Sundays excepted, from Mackay's Princes Street.

Glasgow Prince Regent Coach, from Crown hotel, Princes Street, at 12 noon.

Glasgow Duke of Wellington Coach, morning, at 10 o'clock, from Mackay's, Princes Street.

Haddington and Dumbar Coach, from Bell's, High Street, at 9 o'clock morning, and 3 p. m.

Jedburgh Coach, from Well's, Bristo Port, Monday and Thursday at 8 a. m.

Jedburgh Coach, from Bell's, High Street, Wednesday and Saturday, at 8 a. m.

Kelso Fly, from W. Ferguson's, Canongate Head, Tuesday, Thursday, and Saturday, at 8 a. m.

Lanark Coach, from Thomson's, Grassmarket, Tuesday and Friday at 7 a. m.

Lanark Coach, from Bell's, High Street, Tuesday and Friday at 10 a. m.

Leith Coaches, from William Bell's, High Street, every half hour, from half past 10 forenoon. to half past 8 evening.—Two Coaches from Mr Robertson's, High Street, every hour, from 9 morning till 8 evening.

Linlithgow and Falkirk Coach (Lord Nelson), from Leckie's, 2. Princes Street, every day at 10 morning and 5 afternoon, Sundays excepted.

London North Briton Coach, from Crown Hotel, Princes Street, by Kelso, 5 morning.

Musselburgh Coaches from High Street.—Bell's, 12 a. m. and 8 evening.—Cameron's 11 a. m. and 8 evening.—Swanston's, 9 a. m. and 1, 4, and 8 p. m.

Peebles Fly, from Mackay's, 1. Prince's Street, Tuesday, Thursday, and Saturday, at 9 a. m.

Perth (Waterloo), from Crown Hotel, Prince's Street, every morning at 9.

Portobello Coach, 3 times every lawful day, from 143. High Street.

Prestonpans Coach, from Trotter's, High Street, at 4 p. m. returns at 9 morning following.

Stirling, Falkirk, and Canal Coach, from Mackay's, 1. Princes Street, at 9 daily.

South Queensferry, from W. Bell's, High Street, every morning at 9, and at 4 p. m. Departures from the Ferry at the same hours.

Churches of the Established Religion in 1816.

High Church, Luckenbooths,		Drs Baird and Ritchie.
Old Church,	do.	Drs Brown and M'Knight.
Tolbooth Church,	do.	Drs Davidson and Campbell.
New North Church,	do.	Rev. Mr Dickson.

Tron Church, High-street, Drs Simpson and Brunton.
College Church, foot of Leith-wynd, Rev. Mr Tait.
Old Grayfriar's Church, Candlemaker-row, Drs Inglis and Anderson.
New Grayfriar's Church, do. Dr Thomson and Mr Gladstones.
Lady Yester's Church, Infirmary-street, Dr Fleming.
St Andrew's Church, George's-street, Drs Ritchie and Grant.
St George's Church, Charlotte-square, Rev. A. Thomson.
New Chapel, Paul's-work, Rev. Mr Robertson.
Canongate Church, Canongate, Dr Buchanan and Mr Garnock.
St Cuthbert's Church, west end of Princes-street, Sir Henry Moncrieff Welwood, and Mr D. Dickson.
Lady Glenorchy's Chapel, foot of Leith-wynd, Dr Jones.
New Chapel, New-street, Canongate, Rev. Mr Dun.
Chapel of Ease, Chapel-street, Rev. Mr Grey.
Gælic Chapel, Horse-wynd, Rev. Mr Munro.

Alphabetical List of Dissenting Meeting Houses and Chapels.

1 Antiburgher,	Dr Jamieson,	Nicolson-street.
2 Ditto,	Rev. Mr Simpson,	Nicolson Street and Potterrow.
3 Ditto,	Dr M'Crie,	Richmond-street.
1 Burghers,	Mr Peddie,	Bristo-street.
2 Ditto,	Dr Hall,	Rose-street.
3 Ditto,	Mr Lothian,	Vennel, West Port.
4 Ditto, Old,	Mr Watson,	Skinner's-close.
1 Relief,	Mr Smith,	College-street.
2 Ditto,	Mr Johnstone,	Roxburgh-place.
3 Ditto,	Mr Thomson,	St James's-place.
1 Baptist,	Mr Braidwood,	Pleasance.
2 Ditto,	Mr Anderson,	Richmond-court.
3 Ditto,	Mr Innes,	Elder-street.
4 Ditto,	Mr Haldane,	Leith-walk.
Berean,	Mr Donaldson,	head of Cowgate.
Cameronian,	Mr Gould,	Lady Lawson's-wynd.
1 Episcopal,	Messrs Alison and Morehead,	Cowgate.
2 Ditto,	Bishop Sandford,	Rose-street.
3 Ditto,	Mr Shannon,	York-place.
4 Ditto,	Mr Walker,	Roxburgh-place.
5 Ditto,	Mr Elstob,	Carruber's-close.
6 Ditto,	Mr Adams,	Blackfriar's-wynd.
Glassite,		Chalmer's-close.
1 Independent,	Mr Aikman,	Horse-wynd.
2 Ditto,	Mr Payne,	Thistle-street.
Methodist,		Nicolson's-square.
Quaker,		Pleasance.
Roman Catholic,	Bishop Cameron,	York-place.

FUNERAL PROCESSIONS.

Funeral of Dr Adam, Rector of the High School, Edinburgh.

Dec. 18, 1809, died at Edinburgh, aged 69, Dr Alexander Adam, Rector of the High School, who filled that important station with much ability and celebrity for 43 years.

The Funeral of Dr Adam took place on Friday, December 29. The interment was in the Chapel of Ease of St Cuthbert's; and every mark of public estimation, respect, and regret, was manifested. The masters and boys of the School, about 600 in number, walking in regular procession, preceded the corpse from the school-house. The Magistrates and Council, in their state dress, followed it. The Principal and Professors of the University, in their gowns, came next; and then above seven hundred gentlemen, of the principal inhabitants, far the greater part of whom had been Dr Adam's pupils, closed the scene. Among these, heads of the Supreme Courts, Judges, and Ministers of Edinburgh, were observed; and the members of a Society of young gentlemen, chiefly of the bar, who had lately presented the High School with a portrait, by Mr Raeburn, of their honoured master, and who attended in a body, were particularly remarkable. When the procession reached the churchyard, the boys formed into two lines, standing uncovered, and shewed, in their countenances and deportment, that the mark of respect was strongly felt, which they were now paying, for the last time, to the venerated remains which passed before them.

Order of Procession at the Funeral of the Right Honourable WILLIAM COULTER, *Lord Provost of the City of Edinburgh. Saturday, 21st April* 1810.

THE Magistrates and Council having resolved to honour the Funeral of their late worthy Chief Magistrate, by a public procession, on Saturday the 21st of April, 1810, the following form of the ceremony was printed and circulated by their order. It is nearly the same as was observed at the Funeral of Provost Kincaid, on the 28th of January 1777.

First Regiment of Royal Edinburgh Volunteers,
with Drums muffled.
Officers of the three Regiments of Edinburgh Local
Militia.
Six Baton Men, two and two.
Two Mutes.
The City Arms.
Two Mutes.
Six Ushers, bare headed, two and two.
The Society of High Constables, four and four, their short
batons in their right hands.
The Moderator Constable in their rear.
The Society of Candlemakers, four and four,
their Preses in their rear.
The Society of Barbers, four and four,
their Preses in their rear.
The Fourteen Incorporations according to their precedency,
four and four.
The late Deacons behind their respective Incorporations;
the officers before.
The Company of Merchants, four and four.
The Assistants and Master in their rear.
The Teachers of the English Schools belonging to the City.
The Masters of the High School in their gowns;
the Rector in the rear, and preceded by the Janitor.
The Professors of the University in their gowns, two and two,
preceded by the Janitor and University Mace;
the Principal in their rear.
The Established Clergy of the City in their gowns and bands,
two and two.
The Senior Clergyman in their rear.
Two Maces.
The Macer of the Lyon Court in deep mourning,
and bare headed.

Pursuivants, two and two.
The City Clerks, Accountant, Agents, and Procurator-fiscal.
The City Assessors in their gowns.
The Resident Magistrates of Easter and Wester Portsburgh, Canongate, and Leith, in their robes, and preceded by their Officers with their Halberts.
The Extraordinary Deacons, four and four.
The Ordinary Council Deacons in their gowns.
The Deacon-convener and Trades' Counsellors in their gowns.
The Merchant Counsellors.
The old Magistrates and the present Magistrates in their robes.
The City Sword of State covered with crape, the point towards the ground; on the right the City Mace, on the left another Mace; each Mace carried nearly level in the right hands of the Macers.
Heralds, two and two.
A Person in deep mourning, bare headed, bearing the Rod of Office levelled before him.
The Lord Provost's Robe covered with crape, carried by the City's Wardrobe-keeper; on each side of which, and of the Sword and Maces, four baton men.

THE BODY,

Placed under a Canopy, drawn by six horses, decorated with the City Arms.
Above the Pall the Lord Provost's Chain and Medal; His Sword and Sash, covered with crape.
The City Officers, with halberts covered with crape and reversed, walking upon each side of the Pall.
The Chief Mourner and supporters of the Pall.
Noblemen and Gentlemen, four and four.
His Lordship's Servants.
The Company of Sharp Shooters attached to the First Regiment of Royal Edinburgh Volunteers.
The Procession to return reversed to the different places of Assembling.

The body was conveyed in a hearse, privately, from his Lordship's house at Morningside, the preceding evening, at nine o'clock, to the aisle of the High Church, accompanied by a few of his nearest relations, where it was received by the Magistrates.

At twelve o'clock the flag upon Lord Nelson's monument, the building of which Provost Coulter was very active in promoting, was hoisted half mast high, and two streamers of crape displayed from its top.

At one o'clock the bells of the several churches began to toll, which they continued to do until the ceremony was over.

At half past 12 o'clock, the different public bodies connected with the city, assembled in the Parliament House and Old Church, and the nobility and gentry, naval and military officers, &c. in the High Church.

At a quarter past one, the procession began to move in the order above prescribed.

The car, upon which the body was placed, consisted of a double platform, the under one covered with black, forming large festoons, round the wheels; the upper one, on which the coffin was placed, covered with black velvet, with the city arms, impaled with his Lordship's initials, on each side; above which rose a lofty canopy, richly finished on the exterior, with appropriate emblems, and the city motto inscribed along the sides, upon a silvered ground, with the word *Resurgam* on each end, and supported by silver columns, the upper parts of which were covered with deep festoons, and terminating in a dome, decorated with large plumes of black feathers, and drawn by six horses, covered with black cloth, with plumes of feathers on their heads, each horse led by a groom in deep mourning.

The following gentlemen supported the pall:

Claud Thomson, Esq. chief mourner.

RIGHT.	LEFT.
H. Thomson, Esq.	R. Meikle, Esq.
John Wilson, Esq.	W. Meikle, Esq.
Thomas Henderson, Esq.	Dr Thomas Hay.
James Eyre, Esq.	Rev. Dr Simpson.
John Brown, Esq.	John Pollock, Esq.

The coffin, which was of crimson velvet, richly ornamented with appropriate emblems, had the following inscription plate upon it:

The Right Honourable
WILLIAM COULTER,
Lord Provost of the City of Edinburgh,
&c. &c. &c.
DIED
14th April 1810,
Aged 56 years.

Upon the top of it lay his Lordship's chain of office, and his sword and sash.

The first regiment of Royal Edinburgh Volunteers, commanded by Major Jardine (in absence of the Lord Justice Clerk), paraded at twelve o'clock, and moved off at a quarter

past one o'clock, forming the van of the procession, and playing the Dead March in Saul. Upon coming to the gate leading to the Grayfriars Church, they opened ranks in funeral order, through which the procession passed into the Church-yard, when it formed nearly a square, leaving the Magistrates and Council, with the relations of the deceased, to occupy the centre. The first regiment of volunteers then took up their ground in front of the church, and after the body had been lowered into the grave, and the senior herald having received the rod of office from the person who carried it, he pronounced the following words:

"Thus it hath pleased Almighty God to remove, from this life to a better, our worthy chief Magistrate, the Right Hon. William Coulter, Lord Provost of this City, and Lord Lieutenant of the city and county;" he then broke the rod, and dropt it into the grave; after which the first regiment of Royal Edinburgh Volunteers, of which his Lordship was officially Colonel, fired three vollies over the grave while the earth was putting on.

The procession then returned reversed, the Royal Edinburgh Volunteers still marching in front. Upon arriving at the Cross, they took open order, saluting the Magistrates, &c. who passed along the line, uncovered, to the Council Chamber. The rest of the public bodies walked to the Parliament Close, where they were dismissed.

The city arms were borne by a person 6 feet 7 inches high, dressed in proper costume for the occasion.

The conducting of the arrangements of this extensive procession was confided to Mr Trotter, of Princes Street, whose promptness and taste in the execution of the whole reflect upon him the highest credit.

Funeral of the late Lord President Blair.

On Wednesday, May 29, 1811.

The Magistrates, Deputation from the General Assembly, Clergy of the City and Suburbs, Professors of the University, Lordsof Session, Barons of Exchequer, and all the other law bodies, with the Noblemen and Gentlemen who are desirous of attending, will assemble in the Parliament Square, at 12 o'clock, to proceed to the Lord President's house in George's Square, by the High Street, South Bridge, Lothian Street, and Charles's Street, from whence they will accompany the body to the Grayfriars, by Bristo Street, and return in the same order to the Parliament House.

WASHINGTON SQUARE LIBRARY

ORDER OF PROCESSION.

City Officers, halberts covered with crape, two and two.
Mace Bearer and Sword Bearer, Mace and
Sword covered with crape.
Lord Provost, Magistrates, and Council, in their robes,
three and three.
Deputation of Clergymen from the General Assembly, with
the Moderator at their head, two and two.
Established Clergy of the city and suburbs, in their gowns and
bands, two and two, the Senior Clergyman at their head.
Mace Bearer of the University—mace covered with crape.
Professors of the University in their gowns, two and two;
the Principal at their head.
Masters of the High Schools—the Rector at their head.
Mace Bearers of the Court of Session,
Maces covered with crape.
Lords of Session in their robes, two and two.
Principal Clerks of Session, and Clerk of Bills and Teind
Court in their gowns, two and two.
Mace Bearers of the Court of Justiciary,
Maces covered with crape.
Lords of Justiciary in their robes, two and two;
the Lord Justice Clerk at their head.
Principal Clerks of Justiciary in their gowns, two and tw
The Lord Chief Baron, with the Barons of Exchequer, in their
gowns and bands, followed by the principal officers of
the Court, in their gowns, two and two.
Bar-keeper to the Dean and Faculty of Advocates in his gown,
his baton covered with crape.
The Dean of Faculty, supported by the Lord Advocate and
Solicitor-General, followed by the Faculty of Advocates,
in their gowns, three and three.
Officer of his Majesty's Signet—mace covered with crape.
Depute keeper, Commissions and Clerks to his Majesty's Sig-
net, in their gowns, three and three.
Depute Clerks of Session, and Attornies of the Court of
Exchequer.
Preses of the Agents and Solicitors admitted by the Court of
Session, and his brethren, three and three.
First Clerks of Advocates, three and three.
Noblemen and Gentlemen, and friends of the Family, not
belonging to any of the public bodies.

Upon entering George Square, the procession will move round the Square by the north side, until the Lords of Session arrive at the Lord President's House, when the whole will stop.

The Lord Provost, Magistrates and Council, the Clergy and the Professors, will then reverse their order of walking, so that when the Body is brought out, the Magistrates and Council, preceded by their regalia, will be immediately in front of the Body.

The Lord Provost in the rear.

The Clergy, with the Moderator and senior Clergyman, in the rear of their respective bodies, in front of the Magistrates, and the Professors preceded by their mace, with the Principal in their rear, in front of the Clergy.

Batonmen, Mutes, and Ushers, will lead the Procession.

The Funeral will then move to the Grey Friars' Church Yard, by Charles' Street and Bristo Street; the Pall being supported by the relations. The Lords of Session walking immediately after the Body, and the rest of the Procession keeping its original order, with the friends of the Family closing the whole.

Upon arriving at the gate of the New South Ground, the Professors and Clergy will stand still, after opening to the right and left, to give room for the Body, preceded by the Magistrates and the Lords of Session, to pass between them to the place of Interment.—The Dean of Faculty of Advocates, with the Session Clerks, and the remainder of the Procession will move forward until they join the Clergy, where the whole will remain during the ceremony.

After the Interment, the Procession will return to the Parliament Square in the same order which was observed on leaving it, the Magistrates again passing, the Professors and Clergy to take the lead.

LEITH WALK.

Among the many improvements of the city and suburbs, Leith Walk is one of the most useful and ornamental. It being the public road between the city and Leith, it was necessarily much frequented; yet, for a long period, it was allowed to remain in a rude and incommodious state, almost impassable in wet weather, or in the winter season. But of late years, at a vast expence and labour, it has been made a spacious and nearly level road, by raising it by travelled earth at the bottom upwards, and lowering it some feet towards the head, leaving only a very gentle ascent from Leith to Edinburgh, all paved in a very superior style, with broad foot-paths on each side. On the north west side there are several elegant buildings, and a spacious square, called *Gayfield Square*. After passing the Botanic Gardens, on the same side, a pleasant village, called Pilrig Street, has been built, through which runs the great road to Newhaven From this street to the bottom of the Walk, on same side, the whole is nearly built, but rather in an irregular manner. On the south side, towards the head of the Walk, there has lately been erected a large and commodious building, occupied by a company of coach-makers, who carry on business in that line, in all its branches, to a very great extent. The front is of the Doric order, and has a respectable appearance. A few feet farther down stands a very huge building, lately erected for the accommodation of a vast promiscuous congregation, who were attracted by the public exhibitions of Lay-preachers—the practice till then being novel in Edinburgh. The house originally had two galleries, and could have accommodated 2,500 people. The ground floor is now occupied as warehouses or cellars, and the floor above as shops; so that the top story, or floor, only is now occupied as a place of worship. Near to this house stands *Baxter's Buildings*, supposed to be the most substantial mason work in Edinburgh, previous to the late improvements in that art. Between them and Leith lie the most beautiful and fertile nurseries that are to be met with in Scotland. On the nursery grounds, the property of Heriot's Hospital, it is proposed to build, according to a regular plan; but of this plan we cansay nothing.

From the bottom of the Walk, south of the Kirkgate, has lately been opened a most capacious street, which runs straight forward to the beach. On each side of this fine street, many elegant houses have been built in the course of the last ten or twelve years.

LEITH.

There are several considerable improvements in Leith. A second draw-bridge has been thrown over the harbour, for a ready conveyance to the wet docks, lately constructed. In the vicinity of the docks, a noble and extensive building has been erected for a Custom-house and Excise Office. The docks themselves form the most important and conspicuous improvement. The first is 250 yards by a 100, sufficient for the accommodation of 40 ships of 200 tons burden. A street runs along the side of the dock, and upon the west side of the street a row of large buildings are erected for the purpose of warehouses; the same is intended to be carried forward with the other docks. The second dock is of the same size as the first, and is nearly completed; but the third is to be 500 yards by a hundred, sufficient to contain 80 ships of 200 tons. There is an empty space between the sea and the docks, where a row of buildings are to be raised for the purpose of warehouses, which will also prove a shelter to the docks.

Grammar School.

In the year 1805, the foundation-stone of a new Grammar School was laid. This building is plain and neat, ornamented with a small dome, and is situated on the south west corner of the Links. The rooms for the different classes are large and commodious, and the school is in a flourishing condition. It was erected by public subscription.

Chapels.

In the vicinity of the Grammar School, a neat chapel for an Episcopal congregation has been erected. Not far from which is the Chapel of Ease (under the inspection of the Church of Scotland), a large building, sufficient to accommodate 1600 people. Though not full, yet a numerous congregation attend, who deem their minister and themselves, as composing one of the purest bodies of Christians in the connection of the established church.

Antiburgher and Burgher Meeting-houses.

Besides the above chapels, other two meeting-houses have recently been erected in Leith. Neither of them are visible from any public street, nor have they any thing external to attract notice. They are both plain and substantial buildings. The first is very handsomely fitted up, and occupied by a respectable congregation of Antiburghers, under the pastoral charge of the Rev. Mr Robert Culbertson; and the second for a congregation of Burghers, under the pastoral care of the Rev. Mr Aitchison.

North Leith Church.

The old church of North Leith is a building of great antiquity; but as it is falling rapidly into decay, and found too small to accommodate the increased population, a new one has been erected west of the town, in the vicinity of the Forth which was erected after the appearance of Paul Jones * in the Frith. This new church is truly spacious and elegant,

* This daring Pirate was a man of middle stature, stern countenance, and swarthy complexion, a subject of Great Britain, but entered into the service of the Congress during the American War. He so distinguished himself that he obtained the Command of a Privateer of eighteen guns, manned with a hundred and forty hands. Actuated by a strong spirit of revenge for some injuries received, he arrived at Whitehaven, set fire to one of the ships in the harbour, and intended to consume them all, to lay the town in ashes, to seize Lord Selkirk and carry him off, and to destroy every vessel belonging to Britain that came in his way. Fortunately, however, one of his crew fled from his vessel and informed the inhabitants of Whitehaven, who, with no small difficulty, extinguished the flames which had made considerable progress in one vessel, and prevented the intended destruction.

After visiting the Irish coast, and being seen off Lerwick in Shetland, an express was received at Edinburgh, with the information that three ships were seen off Eyemouth, which had taken three prizes, and another off Dunbar, which had captured a vessel coming out of the Frith. They were soon beheld sailing up the Frith, and proceeded till they were nearly opposite to Leith.

The Capital was all in commotion, and in one day three batteries were erected; one where the Fort now stands, and two at the Citadel. All the military and seamen were called to arms, and guards placed at different stations, and every possible measure of defence was speedily adopted. But as there was no regular force to oppose that bold and enterprising man, all would have been in

and adorned with a handsome spire, which produces a fine effect among the surrounding buildings, and is seen at a great distance. The church will accommodate upwards of 2000 sitters.

On the west of Leith, several small streets and elegant villas appear, which evince the increase of wealth and of population.

Leith Bank.

This handsome building stands in Bernard Street. The foundation stone of it was laid in 1805 It consists of two stories, and has a neat dome on the front, which looks towards the north: and the projection is ornamented with four columns of the Ionic order.

The British Linen Company, and the Commercial Banking Company of Scotland, have also established branches of their Banks in Leith.

Exchange Buildings.

Spacious and elegant buildings have been erected at the extremity of Constitution Street, for public purposes, as well as for the accommodation and amusement of the opulent inhabitants of Leith. The buildings contain the Assembly Room, Coffee Room, Sale Rooms, Subscription Library, &c. all on a large scale; and, when finished, will surpass, in elegance and beauty, any building in Leith.

vain had not Providence interposed by raising a violent storm, blowing from the south west, which drove him down the Frith. According to his own account to a Gentleman in Amsterdam, his intention was to carry off what vessels he could from the harbour, to burn the remainder, and to commit the city to the flames.

There is a memorable fact related, that when the Pirate and his ships were seen off Kirkcaldy, and general consternation and tumult prevailed, that the Rev. Mr Shirreff of that place went to the sea shore, and in an ardent and solemn manner prayed, that the Lord would raise a tempest to drive that wicked man from their coast Whatever effect some men may be disposed to ascribe or refuse to the supplications of that venerable man, the fact is certain, that scarcely had he ended his prayer when the storm arose.

Paul Jones had a severe engagement with two of his Majesty's Ships off Scarborough, and, though victorious, his ships were so shattered that with difficulty he reached the Texel. After various adventures, he is said to have terminated his avaricious and wicked career in poverty and oblivion, in the United States of America.

Warm and Cold Baths.

At the east end of Leith Links a handsome building was lately erected by subscription, in which is fitted up, in a superior style, warm and cold baths; and also a hotel and coffee-room, for the accommodation of those who may find occasion to frequent them.

Shipping Companies of Leith.

About fifty years ago, the vessels trading between Leith and London generally were about two months on the voyage, and were laid up in the winter. At present, owing to the superior style of building the smacks, as well as the skill of the captains, the average passage does not exceed six days. In many cases the smack has arrived before the mail coach. There are four companies, and each of them send out one or more vessels every Tuesday and Friday, all the year round. The vessels are all elegantly fitted up for the accommodation of passengers, whose comfort is generally studied on the passage. The Company's are as follow, viz.

To London.

Edinburgh and Leith Company's office, north end of Draw-bridge.
Old Shipping Company's do. Shore.
London and Edinburgh do. do. Shore.
Edinburgh, Glasgow, and Leith do. do. Shore.

To Hull, &c.

Leith and Hull Company's office, New Quay.
Edinburgh, Leith, and Hull do. Shore.
Greenland Shipping Company's do. St Bernard's Street.
Liverpool and Leith do. do. New Quay.
Leith and Necastle Old do. do. Timber Bush.
—— and Newcastle New do. do. Quality Street.
—— and Perth do. do. Water Lane.
—— and Dublin do. do. Constitution Street.
—— and Glasgow Shipping do. do. Old Draw-bridge.
—— and Greenock do. do. Yard-heads.
—— New do. do. Tolbooth Wynd.
Inverness and Leith do. do. North Leith.

Charitable Institutions.

Female Society for Relieving Indigent and Sick Women.
Leith Auxiliary Society for Promoting Christianity among the Jews, and for aiding the British and Foreign Bible Society in London.
Leith Weekly Auxiliary Society.
Leith Female do.

The two last mentioned are for aiding the Society preceding.

Society for Relief of the Destitute Sick.
Sympathetic Society.
Leith Female School of Industry.
Leith Boy's Charity School.

New Haven.

New Haven, a village situated north west of Leith, long famous for bathing-quarters, and resorted to by parties from Edinburgh, for haddocks and oysters, has received considerable improvements, and several small streets have been formed, and elegant houses reared. But the construction of a new Pier, by means of which a passage may be obtained at any hour over to Kinghorn, &c. is the most important improvement.

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THE

DECREET-ARBITRAL,

PRONOUNCED BY

HIS MAJESTY KING JAMES VI.

IN THE SUBMISSION

BY THE

Merchants and Craftsmen of Edinburgh.

AT Edinburgh, the nineteenth day of June, the year of God, one thousand five hundred fourscore three years, in presence of the Lords of Council, compeared personally Mr John Sharp, John Prestoun, Thomas Craig, and John Skeene, procurators specially constitute for the Provest, Baillies, Deacones, Counsel, and Community of the Burgh of Edinburgh, be the Act of Counsel underwritten, made in presence of the Provest, Baillies, Deacones, Counsel, and Community contein'd thereintil, of the date underwritten, and gave in the said Act of Council, with the Decreet-arbitral aftermentionat, given and pronouncit be the King's Majesty, and Judges after following, subscrived be them, and the parties after rehearsed, and desired the same to be insert and registrate in the Buiks of Counsel, to have the strength, force, and effect of their Act and Decreet in time to come, and letters and executorials to be direct upon the parties specifiet thairintil. The quhilk desire the said Lords thought reasonable; and therefore hes ordained and ordains the said Act and Decreet-arbitral to be insert and registrat in the said Buiks, to have the strength, force, and effect of their Act and Decreet, and hes interponit and interpons their Decreet and authority thereto, and decerns and ordains letters and executorials to be direct upon the hail parties specifiet in the said Decreet-arbitral, for fulfilling thereof in all poynts, in manner specifiet thereintil: Of the quhilk the tenor follows.

The quhilk day Mr Michael Chisholme, Andrew Sclater, John Adamsone, Baillies; Mr John Prestoun Dean of Gild; Mungo Russel, Thesaurer; John Johnstoun, John Harwood, John Robertsone, William Maule, William Nesbet, Alexander

Naper, John Morisone, Robert Ker, Henry Charterhouse, Merchants; James Fergusone, Bower; John Bairnsfather, Tailyeour; and the Deakens following, viz. Gilbert Primerose, Chirurgian; John Wat, Smith; Edward Galbraith, Skinner; Edward Hart, Goldsmith; William Hoppringle, Tailyeour; Thomas Dickson, Furrier; And sicklike James Ker, Flesher; William Weir, Cordiner; Adam Newtoun, Baxter; William Coutts, Webster; Andrew Williamson, Wright; William Somers, Bonnetmaker, remanent Deakens of Crafts, for themselves, and the hail body and community of the Town, als well Merchants as Craftsmen, makes and constitutes Mrs John Sharp, Thomas Craig, John Prestoun, Assessours, and Mr John Skeene, Procurator Fiscal, or any twa of them, their procuratours, to compear before the Lords of Session and Counsel whatsomever day or days convenient, and there, in name and behalf of the Provest, Baillies, and Counsel for the Merchants, and of the said Deakens for the Crafts on the other part, to consent to the registrating of the Decreet-arbitral given by the King's Majesty, and Arbitrators specified therein, betwixt the Merchants and Craftsmen, in the Buiks of Counsel, interponing of their authority thereto, with execution to follow thereupon, in manner specified in the said Decreet, and generally, *&c. promittentes de rato, &c.* Extract furth of the Counsel Buik of Edinburgh, be me Mr Alexander Guthrie, Common Clerk of the samen; witness thereto my sign and subscription manual.

ALEX. GUTHRIE.

Here follows the tenor of the said Decreet arbitral.

AT Halyruidhouse, the twenty twa day of Apryl, the yeir of God one thousand five hundred fourscore three years, we Robert Fairlie of Braid, Sir Archibald Naper of Edinbellie, Knight, and James Johnstoun of Elphingstoun, Judges Arbitrators, chosen for the part of Mr Michael Chisholme, Andrew Sclater, John Adamsone, and William Fairlie, Baillies of Edinburgh; Mr John Prestoun, Dean of Gild; Mungo Russel, Thesaurer; John Johnstoun, Robert Ker younger, Henry Charterhouse, John Morisone, William Maul, John Harwood, John Robertsone, William Inglis, Alexander Naper, William Nesbet, Merchants, being on the Counsel of the said Burgh, for themselves, and in name and behalf, and as Commissioners for the hail Merchants indwellers of the said Burgh, on the ane part, and John Cockburn of Ormestoun, Mr Robert Pont Provest of the Trinity Colledge, and Mr David Lindsey, Mi-

nister of Leith, Judges Arbitrators, chosen for the part of James Fergusone, Bower; John Bairnsfather, Tailyeour, twa of the Craftsmen, being on the Counsel of the said Burgh; Gilbert Prymrose, Deaken of the Chirurgians; John Wat, Deaken of the Hammermen; William Hoppringle, Deaken of the Tailyeours; Edward Galbraith, Deaken of the Skinners; Edward Hairt, Deaken of the Goldsmiths; Adam Newtoun, Deaken of the Baxters; Thomas Dickson, Deaken of the Furriers; Andrew Williamson, Deaken of the Wrights; William Bickertoun, Deaken of the Maissons; James Ker, Deaken of the Fleshers; William Weir, Deaken of the Cordiners; Thomas Wright, Deaken of the Websters; William Cowtts, Deaken of the Wakers; and William Somer, Deaken of the Bonnetmakers, for themselves, and in name and behalf, and as Commissioners for the hail Craftsmen indwellers of the said Burgh, on the uther part: and the Right Potent and Illuster Prince James, be the Grace of God, King of Scots, our Soveraign Lord, odsman and oversman, chosen be advice and consent of baith the saids parties, anent the removing of all questions, differences, and controversies, quhilks are, or has been betwixt the saids Merchants and Craftsmen, concerning whatsomever cause or occasion, whereupon debate or question did arise in any time betwixt them: and thereupon, baith the said parties being bund, oblist, and sworn, to stand, abide, and underly, and fulfil the Decreet-arbitral, and deliverance of us the saids Judges, and Oversman, but appellation, reclamation, or contradiction, as at mair length is contained in an submission made thereupon, baith the saids parties clames and griefs given in be them, with the answers made thereto, and their rights, reasons, and allegations being heard, seen, and considered be us, and we therewith being ryply advisit, after many and sundry conventions and meetings, with lang travels tane hereanent, hes all in ane voice accordit, and agreed upon the heads and articles following:

First, to take away all differences quhilk has been heretofore concerning the persons who had the government of the Town, their number, power or authority, and manner of their election; it is finally concordit, decernit, and concludit thereupon as follows:

Magistrats. The Magistrats and Officemen, sick as Provest, Baillies, Dean of Gild, and Thesaurer, to be in all tymes coming of the estait and calling of Merchants, conform to the acts of Parliament; and gif ony Craftsman excerce and merchandize, fall for his guid qualities be promovit thereto, in that caise he sall leive his craft, and not occupy the same be himself nor his servants during the time of his office, and sall not return theirto at any tyme theirafter quhill he obtain

special license of the Provest, Baillies, and Counsel to that effect.

Counsel. The Counsel to consist of ten merchants, to wit, the auld Provest, four auld Baillies, Dean of Gild, and Thesaurer of the nixt year preceiding, and three uther merchants to be chosen to them, and als to consist of eight Craftsmen thereof, sex Deakens, and twa other craftsmen, makand in the hail the said Counsel eighteen persons, and this by the Officemen of that year, to wit, the Provest, Baillies, Dean of Gild, and Thesaurer.

Election. And as to the manner of the election, it is first generally accordit and concludit, that na manner of person be chosen Provest, Baillies, Dean of Gild, or Thesaurer, suppose they be Burgesses of the Burgh, and able therefore, without they have been an year or twa upon the Counsel off before. And anent the Counsel, the auld maner of giving in of tickets be the Deakens, out of the quhilk the twa craftsmen were yearly chosen, to be abrogat, dischargit, cease, and expyre in all tymes coming, swa that the saids twa craftsmen shall be chosen yearly, without ony ingiving of tickets, indifferently of the best and worthiest of the crafts, be the saids Provest, Baillies, and Counsel allanerly; and nane to be of the Counsel above twa year togeither, except they be Officemen, or be vertue of their offices be on the Counsel. Sicklike, anent the lytts of the Baillies, they sall not be dividet nor casten into four ranks, three to every rank, as they were wont to be, bot to be chosen indifferently, ane out of the twelff lytts, ane uther out of eleven lytts, the third out of ten, and the fourt out of nyne lytts. Anent the Deakens, that nane be electit Deaken, except he that has been an maister of his craft twa year at the least; and that nane of them be continued in their office of Deakenship above twa year togidder. Last, in general, that nane have vote in lytting, voiting, or electing of the Provest, Baillies, Counsel, and Deakens, Dean of Gild, or Thesaurer, but the persons hereafter following allenarly, in manner after specifit.

Election in special of Deacons. And to proceid in the said Election, it is found guid to begin at the choosing of the Deakens of Crafts, quhilks are fourteen in number, to wit, Chirurgyanis, Goldsmyths, Skinners, Furriers, Hammermen, Wrights, Masons, Tailyeours, Baxters, Fleshers, Cordiners, Websters, Waulkers, Bonnet-makers; Swa the Deakens now present shall stand and continue quhil the third Council any before the auld time of election of the new Counsel, quhilk was on the Wednesday next preceeding the feast of Michaelmass; upon the quhilk third Counsel day, the Provest, Baillies, and Counsel now standand, extending to nineteen persons, and fra thence furth yearly, and ilk year, the Provest, Baillies and

Counsel, constitute of the said twenty-five persons, sall call in before them the saids Deakens of Crafts, every ane severally, and require their opinion and judgment of the best and worthiest of their Crafts. Thereafter, the saids Provest, Baillies, and Counsel, shall nominat and lytt three persons of the maist discreet, godly, and qualified persons of every ane of the said fourteen crafts, maist expert hand-labourers of their awen Craft, Burgesses and Freemen of the brugh, whereof the auld Deaken shall be ane, and cause deliver their names to the Deakens, every ane according to their Craft; quhilk Deakens, on the morn thereafter, sall assemble and convein their Crafts, and every Craft be themselves, furth of thir names shall elect ane person, wha sall be their Deaken for that year; and upon the next Counsel day after the said election, the auld Deakens, with some of the masters of their Crafts, sall present the new Deakens to the Counsel, quha sall authorize them in their offices.

New Counsel of Deakens. Next, to proceed to the election of the New Counsel. The said day of presenting of new Deakens, the Provest, Baillies, and Counsel, now standand of nineteen persons, and fra then furth, the same day yearly, Provest, Baillies, and Counsel of twenty five persons sall choose furth of the saids Fourteen Deakens, sex persons to be adjoyned with the New Counsel for the year to come, and to have special vote in lytting and choosing of the Provest, Baillies, and Counsel; and the same day, the auld sex Deakens, quhilk was upon the counsel the year preceeding, to be removed, and have no farther vote for that year, except some of them be of the number of the new elected deakens.

New Counsel of Merchants and Crafts. Thereafter, upon the Wednesday next, preceeding Michaelmass ilk year, the Provest, Baillies, Dean of Gild, Thesaurer, and ten Merchants of the Counsel, and the said sex Deakens, and twa Craftsmen, and in the hail twenty-five persons, and twenty-six votes, be reason of the Provest's twa votes, ordinarily standand at all tymes, sall conveen and choose the new counsel, to the number of eighteen persons, to wit, the auld Provest, Baillies, Dean of Gild, and Thesaurer of that year, and the said sex deakens to make thretteen persons thereof, and to them to be chosen three Merchants, and twa Craftsmen, and thir persons to be callit the New Counsel: And gif ony person of the Merchants chosen upon the New Counsel, happens to be put on the lytt of an uther office, and promovit thereto, ane other sall be chosen in his room be the saids Provest, Baillies, and Counsel.

Lytts of Magistrates. Thirdly, to proceid to the choosing of the lytts to the Magistrats and Office-men, sic as Provest, Baillies, Dean of Gild, and Thesaurer. Upon the Friday next thereafter, there sall conveen the said new Coun-

sel of eighteen persons, and the auld Counsel, constite of twelff persons, viz. ten Merchants and twa Craftsmen, the said new and auld Counsel, makand twenty Merchants and ten Craftsmen, and in the hail thretty persons, by the Provest's odd vote; quhilks persons solemnatly protesting before God, that they shall choose the persons whom they find maist meet, without favour, hatred, or ony kind of collusion; then sall begin and choose the lytts to the Magistrats and Office-men, to every ane of them three lytts; that is to say, to the Provest, twa lytts with himself; to the four Baillies, every ane of them three lytts, the auld Baillies not beand ane, except they be new chosen thereto; to the Dean of Gild, twa lytts with himself; and to the Thesaurer, twa lytts with himself; quhilks hail lytts sall be of the order and calling of Merchants, as said is.

Election of Magistrats. Fourthly, to proceed to the electing and choosing of the said Magistrats and Office-men, upon the Tuesday nixt after Michaelmass yearly, there sall conveen the saids thretty persons of new and auld Counsel, and with them the rest of the Deakens of Crafts, quhilks are not of the Counsel, extending to eight persons; the hail persons swa conveenand, extending to thretty-eight persons by the said odde vote, thereof twenty Merchants, and eighteen trades; quhilk persons sall begin at the lytt of the Provest, and every ane in their awen rank give their votes to sic as they find maist meet for the well of the town, according to their conscience and knawledge, but feid or favour; and on whom the greatest number of votes sall fall, that he be sworn, receivit, and admittit Provest for that year; and swa to proceed thorow the lytts of the Baillies, Dean of Gild, and Thesaurer, quhill the said election be compleatly endit. The saids Provest, Baillies, Dean of Gild, Thesaurer, and Counsel, electit as said is, makand in the hail twenty-five persons; they only, and na uthers, sall have the full government and administration of the hail common weill of this burgh, and in all things, as the Provest, Baillies, and Counsel thereof, or of any uther burgh had of before, or may have hereafter, be the laws or consuetude of this realm, infeftments and privileges grantit to this town be our Sovereign Lords maist noble progenitors; exceptand always thir causes following, in the quhilks the hail fourteen Deakens of Crafts sall be callit and adjoyned with them to give their special vote and consultation theirinto, to wit, in election of the Provest, Baillies, Dean of Gild, and Thesaurer, as said is; in setting of feus, or any manner of tacks, attour the yearly rowping upon Martinmass-even; in giving of benefices and uther offices within burgh; in granting of extents, contributions, emprimits, and siclike; bigging of common warks; and in disponing of common good above the sum of twenty pound togidder.

Warning of the Deakens, and Counsel. Providing nevertheless, that the Deakens, not of the Counsel, nor ony of them, beand personally warned to that effect, and absenting themselves, swa oft the last Deacone, or any uther that was in lytt with him that yeir, sall supplie their room; and they beand personally warned, and absent, the rest compearand sall have power to proceed; gif ony of the Provost, Baillies, and Counsel be absent, the rest wha are present sall choose an uther in their room. And to avoid all suspicioun that has risen in times past, through the particular assemblies, conventiouns, and convocations, contrair the acts of Parliament, and to the trouble of the quyet state of this brugh.

Conventiouns. It is agreit and concludit, that nather the Merchants amang themselves, nather the Crafts and their Deakens, or visitors, sall have or make ony particular or general Conventions, as Deakens with Deakens, Deakens with their Crafts, or Crafts amang themselves, far less to make privat laws, or statutes, poind and distrenzie at their awen hands for transgressions, by the advice and consent of the Provest, Baillies, and Counsel.

Dean of Gild may Conveen his Counsel. Exceptand always, that the Dean of Gild may assemble his brether and counsel, in their Gild Courts, conform to the ancient laws of the Gildrie, and priviledges theirof; and that any ane craft may convein together amang themselfs, for the choosing of their Deaken, at the tyme appointit theirto, and in manner before exprest; making of masters, and trying of their handiewark allanerly. And gif ony Brether, or Deakens of Crafts, sall find out, or devyse any good heids that may tend to the weill of their Craft, they sall propone the same to the Magistrats, who sall set forward an act or statute thairupon, and interpone their authority thereto, as it bees found reasonable.

Commissioners. Item, As tuitching the Commissioners in Parliament, General Council, and Commissioners in Conventioun of Barrows, it is thought guid be the Commonaris, that in all tymes coming the ane of the saids Commissioners for the Brugh of Edinburgh sall be chosen be the said Provest and Baillies, furth of the number and calling of Craftsmen, and that person to be an Burgess and Gild-Brother of the Brugh, of the best, expert, wise, and honest reputatioun.

Auditors. Item, It is agreed, that the Auditors of all the Town's comptis sall hereafter be chosen of equal number of Merchants and Craftsmen, be the Provest, Baillies, and Counsel.

Gildrie. Item, Toward the lang controversies for the Gildrie, it is finally, with common consent, appoyntit, agreit and concludit, that als weill Craftsmen as Merchants, sall be received and admitted Gild-brether, and the ane not to be refusit

nor secludit therefra mair nor the uther, they being Burgesses of the Brugh, als meit and qualified thairfore; and that Gild-brether to have liberty to use merchandice. Their admission and tryal of their qualificatioun to be in the power and hands of the Provest, Baillies, Thesaurer, and Counsel, with the Dean of Gild, and his Counsel, quhilk sall consist in equal number of Merchants and Craftsmen, Gild-brether, not exceiding the number of sex persons, by the Dean of Gild himself; and that no person, of whatever faculty soever he be, sall bruik the benefit of an Gild-brether, without he be receivit and admittit thereto, as said is.

Burgesses, Crafts. Item, That na manner of person be sufferit to use merchandice, or occupy the handiewark of ane free Craft within this Brugh, or yet to exerce the liberty and priviledge of the said Brugh, without he be Burgess and Freeman of the same.

Extents. Item, Because the Merchants and Craftsmen of this Brugh are now to be incorporat in an Society, and to make an hail Town, and Common-weill, it is thought expedient, and concludit, to abrogat the former custome of dividing and setting of extents, wherein the Merchants payit four parts, and the Crafts the fifth part: And theirfore it is agried, that as they watch and waird together, swa in all extents, emprimits, contributiouns, and the like subsides to be imposit upon the Burgh, Merchants and Craftsmen to bear the burden and charge theirof indifferently over-head, according to their ability and substance, throw the hail quarters of the Town, without divisioun of the rolls in Merchants and Craftsmen in any time coming. The extentours sall be of equal number of Merchants and Craftsmen, eight persons of the ane calling, and eight persons of the uther, to be electit, sworn, and receivit be the Provest, Baillies, and Counsel, out of the maist discreit and skilful of all the Town, void of all partial affectioun and hatred: And that na manner of person usand the trade of Merchant or Crafstmen, and occupy and the friedome of the Brugh, and able to pay any extent, not beirand the office of Provest or Baillies in the mean time, sall be any wayis exemit fra the real and actual payment thereof.

Collectioun. Item, As the hail body of the Town, consistand of Merchants and Craftsmen, does bear an common burden of watching, wairding, extenting, and of the like portable charges, having an common-good proper to nane, swa neidful it is for making an equal unity, and charitable concord, that there be in the hail Town but an collection, and an purse, not peculiar to any, but common to all, of the hail dewties and casualities, callit the entres-silver of prenteisses, upsets, owklypennies, un-laws, and sicklike, to be collectit in all times coming, and received baith of Merchants and Craftsmen, and put in an com-

mon purse; and to that effect the Merchants to take and have prentices, as well as Craftsmen, and to be astrictit and obleist thereto, and na prentice always to be received of ather of them for shorter time nor the space of fyve yeirs compleit. And for the better knowledge to be had heirof, and for observing an good ordour in collectioun of the same, that there be an common book made, and keipit be the common Clerk of this Brugh present, and to come, wherein the names of all prentices to Merchants and Craftsmen, the name of their master, day of their entries, and space of their prenticeship, sall be insert and buikit; for the quhilk the Clerk sall have at their buiking of ilk person sex pennies, and for the outdraught twelf pennies, quhilk buik sall be to the prentice an sufficient probatioun of his entries, and an charge to the Collectors of the said dewties. If any man be an prentice heirafter, and not put in the said buik, his prenteiship sall be to him of na effect. Alswa, be reason every industry is not of like valour and substance, it is declairit, that ilk rank or degree of prenteisses sall pay, to wit, the Merchant prentice, and sic kind of people as were wont to extent with them, and are not under the said fourteen crafts, to pay at his entres the day of his buiking to the said collectioun threttie shilling, and at his up-set, or end of his prenteiship, fyve pound. The prenteis to an Skynner, Chirurgian, Goldsmith, Flesher, Cordiner, Tailyeour, Baxter, and Hammer-men, at their entry and buiking, to the said collectioun twenty shilling, and for their upset fyve pund. The prentice to an Masoun and Wright at his entrie thretteen shilling four pennies, and his up-set three pund sex shilling eight pennies. The prentice to an Webster, Waker, Bonnet-maker, Furriour, at his entry ten shilling, and for his up-set fiftie shilling: And thir dewties to be tane by the owkly-pennies, and dewties of their Burgeships: And to cause all persons to be mair willing to enter themselves in prenteiship with the Burgesses and Frie-men of the Burgh, this priviledge is grantit to the saids prenteises, that they sall pay na mair for their Burgeship to the Dean of Gild, but fyve punds by the dewties foirsaids: And in augmentatioun of the said collectioun, when any persons sall happen to be made Burgesses of this Burgh, wha was na prenteis to an Merchant, or Craftsman, Frie Bwrgess of the said Brugh, or has not compleit his prenteiship, sall pay to the said collectioun, at his admission, the double of the haill prenteis or entries-silver, up-set and buiking, by the dewty payit to the Dean of Gild for his Burgeship, or Gildrie, quhilk is twenty punds for his Burgeship, or Gildrie, quhilk is twenty punds for his Burgeship, and fourty pund for his Gildrie; the priviledge always of the bairns of Burgesses and Gild-brether not being prejudged heirby, quha sall pay the auld accustomed dewty to the Dean of Gild allenarly. Thir dewties and collectiouns, or casualities of entres-silver, up-sets, owkly-pennies, un-

laws, and sick-like, to be received in all times comming, of all Merchants and Craftsmen indifferently, put in the said common-purse, and imployit be the advyce and command of the Provest, Baillies, and Counsel, for support and relief of the failyiet and decayet Burgesses, Merchants, and Craftsmen, their wyfes, bairns, and auld servants, and uther poor indwellers of the town. The Provest, Baillies, Counsel and haill Deakens, every yier after electioun of the Magistrates, sall choose the collectors of the said dewties and casualities, of equal number of Merchants and Craftsmen, and to devyse and set down sic good ordowr as they sall find meet and expedient for the perfyte and reddie inbringing thereof. And last, the said Collectors sall make yeirly compts of their intromissioun theirwith, at the tyme of making of the Town's compts; and sall find sufficient cautioun at their admissioun, for compt, reckoning, and payment. *Item*, It is ordained, that baith the saids parties, Merchants and Craftsmen, now present, and their successors, sall inviolably observe, keip, and fulfill this present appointment and Decreet-arbitral, and every heid, clause, and article conteinit therein. Likeas, his Majesty and the saids Judges, wills and ordains them, with willing hearts to put in oblivion all bypast enormities, imbrace and entertain love and amity, and as they are of ane city, swa to be of an mind; then sall they be acceptit of God, stop the mouths of them quhilk tuik occasion be their division to slander the truth; then sall they be mair able to do our Soveraign Lord acceptable service, and have an standing and flourishing common-weal: And finally, his Majesty and the saids judges will esteem their lang travels fruitfully bestowit.

Certification of the Sett. Attour, his Majesty and the saids Judges, ordains the practice and execution of this present appointment and decreet to be and begin after the day and date hereof, and to continue, and be observit and keepit as ane perpetual law in tyme coming; and whasoever contraveins the samen, sall be repute and halden ane troubler of the quiet estate of the common-weal, incurre the note of infamy, and forfault and tyne their freedome for ever; and otherwise to be persewit and punishit as seditious persons, conform to the laws of the realm, with all rigor and extremity: And ordains thir presents to be ratifiet and approvet in his Highness next parliament: and, in the mean tyme, the same to be actit and registrat in the buiks of Counsel and Session, and to have the strength of acts and decreets of the Lords thereof, and that their authority be interponit thereto, and letters and executorials to pass thereupon, in form as effeirs. And for acting and registrating of the samen, makes and constitutes, Mrs John Sharp, John Prestoun, Thomas Craig, and John Skeen, our procurators, conjunctly and severally *in uberiore forma, promitten. de rato.* In witness whereof, the saids Judges and Oversman, togidder with the saids Commis-

sioners, in token of their consents and acceptation of the premisses, has subscrivit thir presents with their hands as follows, day, year and place foresaid.

James R.
Robert Fairlie of Braid,
Archibald Naper of Edinbellie, Knight.
James Johnstoun of Elphingstoun,
John Cockburn,
David Lindsay,
Robert Pont,
Alexander Clerk, Provost,
Mr Michael Chisholme, Baillie,
Andrew Sclatter, Baillie,
John Adamsone, Baillie,
Mr John Prestoun, Dean of Guild,
Mungo Russel, Thesaurer,
Robert Ker, younger,
Henry Charters,
John Morison,
John Harwood,
John Robertson,
William Nisbet,
Alexander Naper,
James Fergussone,
William Mauld,
John Johnstoun,
Edward Galbraith,
Gilbert Primrose,
John Wat,
James Ker, (with my hand,)
William Pringle,
Edward Hairt,
John Bairnsfather, Taylor,
Thomas Dickson,
Andrew Williamsone,
Thomas Wright,
William Bickerton,
William Somer,
Adam Newtoun,
William Weir,
William Cowts,

with our hands at the pen led be the notars underwritten, at our command, because we cannot write ourselves.

Ita est, Mr Alexander Guthrie, *notarius publicus, ac testis in premisses, de mandatis dictarum personarum scribere nescientium, ut asseruerunt: Testantibus his meis signo ac subscriptione manualibus*, Acta 14, and Maji 25, 1583.

Ita est, Mr David Guthrie, *conotarius in premissis de mandatis dictarum personarum scribere nescientum: Teste manu propria.*

Extractum delibro Actorum, per me Alexandrum Hay, *de* Eister Kennet, *Clericum Rotulorum Registri ac Concilii*, S.D. N. *Regis, sub meis signo et subscriptione manualibus.*

Alexander Hay.

The Decreet-arbitral of Lord Ilay.

WHEREAS by two several submissions, dated and signed at Edinburgh, the 13th and 14th days of March 1729 years, by the Magistrates and Merchant-council, and Deacons of Crafts, and Trades Counsellors of the said Burgh, on the one and other parts, and in the behalf, and pursuant to the powers therein mentioned, several questions and differences between the said incorporations and the said Magistrates and Merchant-council, touching the matters therein set forth, were submitted to me as sole arbiter, chosen and elected by both parties, and particularly, certain processes at their instance against others, depending before the Lords of Council and Session; and I having maturely considered the said mutual processes, with the minutes and claims, and

answers, with the vouchers given in by them *hinc inde*, and heard parties procurators in my own presence *viva voce*, and having weighed the arguments on each side, and perused the precedents laid before me jointly by both parties; I give forth my final Sentence and Decreet-arbitral, in manner and to the effect following: That is to say, Finds, Decerns and Declares, That no person who has deserted and given over the practice and exercise of his trade and occupation within the city of Edinburgh, and liberties thereof, unless he reside within the said town or liberties, and at the same time subject himself to the common burdens of the Town and Incorporation whereof he is free, or who is received as a member or servant in any one of the Town's hospitals, or who is a pensioner of the Town or Trade, or has or enjoys any benefit or lucrative office from the Town or Trade, or who, at any time within six months preceding, has been received, or was member, servant, or pensioner as aforesaid, or held or enjoyed such benefice or lucrative office, hath, or ought to have any vote in the election of a Deacon, or other officer of the Incorporation, or in making up leets, in order to the election of a Deacon or other officer, or to act or vote in any meeting whatsoever of any Incorporation within the said city. And further, Finds, Decerns and Ordains, That the usage and custom of presenting leets of six persons made by the several Incorporations, and attested by their respective Clerks, to the Magistrates and Council, in order to their making short leets of three for election of Deacons, be inviolably for ever observed, and that the short leets be returned by them out of the said leets of six, regularly and legally made and attested: but Finds, Decerns, and Declares, That the Council, to whom the new Deacons are to be presented, and by whom they are by the Sett to be authorized in their offices, are, by the nature of the thing, and the precedents, and consistently with the Sett, Judges in the first instance, of questions that may be stirred concerning the right of persons claiming to be admitted into the office of Deacon; subject nevertheless to complaint, and the review of the proper Court, as accords of the law: and Finds, Decerns, and Declares, That the Provost has right to the first vote in every matter and thing, and to a casting vote, in case of an equality, and to no other or further vote in any case whatsoever: and also Finds, Decerns, and Declares, That according to the Sett of the Town, there must be three persons in every leet for the several offices of Provost, Dean of Gild, and Treasurer, and twelve persons in the leet for Baillies: but it is not determined by the Sett, whether the said leets should contain one and twenty different persons; and the usage appears to be in the contrary, which therefore ought to prevail. And further Finds, Decerns, and Declares, That the Deacons extraordinary, or not of the Council, have a vote in chusing prox-

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ies for the absent members of the Ordinary Council at the annual election, in all steps where they have a right to be present: and also Finds, Decerns, and Declares, That the right of calling the Council, Ordinary and Extraordinary, belongs to the Provost or Preses of the meeting; and, upon an execution returned, of the members being summoned by the said Provost or Preses his order, thirteen of the Ordinary, and seventeen of the Extraordinary Council, may proceed and act in the same manner, as if all the members were present: but if the Provost or Preses shall happen to neglect, or shall refuse to call a Council on Wednesday, the ordinary Council-day, a majority of the said Council may, forty-eight hours preceding the ordinary and stated time of meeting, require the aforesaid Provost or Preses, under form of instrument, to call a Council, and, upon his refusal or neglect to comply with the demand so made, the majority of the said Council may meet on the said usual and stated time, and proceed to do business: and Finds, Decerns, and Declares, That the Council, Ordinary and Extraordinary, have the sole power and right of governing the Trinity Hospital, and cannot delegate the same to any other person or persons whatsoever: and Decerns and Ordains the accompts of the town to be fitted and audited within the year to which the said accompts relate, or within three months after the expiration of the said year; and that no article of depursement of the Town's money ought to be allowed, unless the same be sufficiently vouched: and Finds and Decerns, That the expence of all public treats ought to be previously authorized by the Council, and attested, when laid out, by two of the Council, or more, who are hereby ordained to write, or cause to be written on the bills, the date and occasion of the expence, and the person's name to whom the same was paid, or is due, and to sign the said bills and report, and produce them in Council within a month at farthest, after the said expence is incurred. And further Finds, Decerns, and Declares, That the said Extraordinary Deacons of Crafts have right to give their special vote and consultation, annually in electing and chusing the members of the Dean of Guild Court of Edinburgh; but that they have no vote in the election of the officers of the Train-bands, the Constables, and Baillies of the public markets of the city, and their Assistants, Kirk and College Treasurer's, Stent-masters, and Auditor's of the town's accompts; nor in electing and chusing the Baron Baillies of the suburbs, namely, the Baillies of Leith, Canongate, Portsburgh, and Caltoun, the Magistrates and Ordinary Council having the only right of chusing the said officers. But Finds, Decerns, and Declares, that the said Extraordinary Deacons have a right, and ought to be adjoined with the Ordinary Council, at least ought to be legally called for that end, when they are to proceed to the election of Provost, Baillies, Dean of Guild, or Treasurer, or to set feus or any manner of tacks, attour the year-

ly rouping on Martinmas Even; or to give benefices, and other offices within the Burgh; or to grant extents, contributions, emprimets, and concerning public buildings, or to dispose of the common good, above the sum of twenty pounds Scots together. And further, Finds the said Extraordinary Deacons have right to vote in chusing Committees for deliberating upon, and preparing all or any of the said matters, and are also capable of being members of the said committee. And as to the article of commissioners for and from the burgh, which includes a case relating to the privilege of Parliament, the same is hereby to receive no determination, of consent and at the desire of both parties. And also, Decerns and Ordains the minutes of council to be read and signed in open council, the next council-day immediately after they shall have received a second reading. And touching the office of Convener, and the meetings of Deacons and Craftsmen among themselves, Finds the office of Convener has the authority of too long usage, and has been too much admitted by the Magistrates and Council, to be at this time called in question, and that the meeting of the Deacons has been also long practised; but that, by the Sett of the Town, neither the Merchants among themselves, nor the crafts and their Deacons or visitors, can have, or make any particular or general conventions, as Deacons with Deacons, Deacons with their Crafts, or Crafts among themselves, without the advice and consent of the Provost and Council, excepting the cases in the said Sett particularly excepted; and that the meeting said to be frequently held the first Tuesday after Michaelmas, in the manner, and with the circumstances the same is particularly set forth in the Declarator of the Merchants, can in noways be contained in the said exceptions. And Finds, Decerns, and Declares, That by-laws, made by the Incorporations for themselves, are of no force, unless they are ratified by the Magistrates and Council. But Finds, That the said Magistrates and Council have no power to make by-laws, whereby the said Incorporations and their successors can be bound to admit all such persons as shall request the same, and shall appear to the Magistrates and Council to be well skilled and qualified to occupy and practice in their Crafts, upon payment of such valuable consideration as should be rated and determined by the said Magistrates and Council. And likewise Finds, That they have no power to controul the management of the several stocks belonging to the said Incorporations, or to make by-laws concerning the same. And this I give forth as my final sentence and Decreet-arbitral betwixt the said parties; and Decerns and Ordains them to abide by, and fulfil the same, each to other, in all time coming. In witness whereof, I have subscribed these presents, written on this and the preceding page, by Henry Pujolas my servant, at London, the twelfth day of March 1729-

30, before these witnesses, Richard Lancashire, and the above said Henry Pujolas, my servants.

ILAY.

RICHARD LANCASHIRE, Witness.
HEN. PUJOLAS, Witness.

Acts of the Town Council of Edinburgh.

Act determining the time how long the Lord Provost, Baillies, Dean of Gild, and Thesaurer of the said burgh, ought to continue at one time in their respective offices.

At Edinburgh, the first day of October, One thousand six hundred and seventy eight years.

THE which day the Lord Provost, Baillies, Council, and Deacons of Crafts, Ordinar and Extraordinar, being conveened in Council, taking to their serious and impartial consideration, that the laws of this and all other well governed nationes, do oppose most vigorouslie the perpetuating of Magistrates within towns and burghs, as that which inhances the government (that ought to be alterable, according to the merits of the citizens) into the hands of on, or very few, who may easilie thereby exclude other well deserving neighbours from the government, and might appropriat or embazle the common good at their pleassour, and thereby wreathe an insupportable yoke upon the neck of their fellow citizens, and upon the place of their nativity and residence; and having, by experience, found many moe disadvantages rising by such unwarrantable and affected elections, and that even amongst the best persones, whom tyme and opportunity did too frequently tempt and corrupt; in so far as it was found necessary, by our predecessors, to be precise and special as to the tyme of the continuatione of their Magistrats; which, according to the nature of all lawes, they did enact in general terms, not having an eye to any particular persones; well foreseeing, that albeit some persones in the government of the burgh, might, for on or two yeares, behave themselves to the satisfactione of the neighbours, knowing their tyme to be determined and fixed by law; yet that the same persons, continowing longer, being left to their own freedome and libertie to perpetuate themselves in the government as long as they could by faction and interest, might, in proces of tyme, degenerate and prove corrupt; and that the inconveniencies in removing such deserving persones from the government of the burgh, cannot by many degrees ballance the innumerable and vast ill consequences which naturally and inevitably attends the indefiniteness and unterminateness of the tyme, in relation to the conti-

nowance of the Magistrates within this burgh ; especially seeing the affairs of the city can sustain little or no prejudice by the councils being necessitate to remove from the government persones who have given proof of their integrity during their administration ; in regaird the remedy is in their own hands, and they may, out of a dew resentment of former good services, elect of new the saids persones within few years after they are removed from the Magistracy. Upon all which considerationes (and in respect that in this metropolitant city of the kingdom, there is alwayes a sufficient number of able and well qualified citizens fit for the magistracy thereof) the council, upon the fifth day of October 1658 years, laying aside their own interest, and the consideration of the power they then possest, did pass an act, declaring, That the Lord Provost, Dean of Gild, and Thesaurer of this burgh, should not continowe longer in their respective offices, then on, or, at the most, two yeares together at on tyme; and that the Baillies of this burgh should be but on year Baillie, on year Old Baillie, and on year free of office; and should not be put upon the leets to be Baillies till these yeares expired. Under which act the neighbours lived happily, until Michaelmas 1664 yeares, at which tyme the said act was rescinded. And thereafter, the Good Town having found too much the inconveniences that followed that rescission, the same did necessitate some of the citizens to raise a declarator of the town's priviledges before the Lords of Session ; the result of which process was, that the said Lords, by their just and wise sentence in February 1673 years, decerned, for preventing all future incroachments upon the town's privileges in that poynt, that the said act should be revived and further secured, by adjecting a considerable penalty, and an oath, which eveirie Magistrate and member of the Council is to take the day of the election of the Magistrates, for the more inviolable keeping and observing of the said act. And in the same sentence and decreet of the Lords of Session, the said act is at length and *verbatim* insert as their decerniture, and made a part of the fundamental government of the Good Town. And accordingly, ever since, upon the election day, the said oath is administrat and taken by the whole council. And the present council being highly sensible of the many good effects which have followed the observance of the saids acts for several years past ; and being desyrous to shew how willing they are that well deserving citizens should have a share in the government of the city by turns, in which they hope that every on of them will, by a generous emulation, exceed one another in their care of, and kindness to the Good Town ; and to extinguish all hopes of perpetuating the power in their own hands, or in the hands of such as shall be advanced thereto in tyme coming, and to prevent all sydings and factions amongst the inhabitants upon such designs, whereof the council are very confident (seeing now persons are

removed from the Magistracy, not out of humour and pique, as was formerly supposed, but by the appointment and determination of the law :) They have therefore ordained the saids acts to be printed, that none of the neighbours may pretend ignorance, but may regulate themselves accordingly : Of which acts the tenor follows :

At Edinburgh, the fifth day of October, one thousand six hundred fifty eight years.

THE which day the Lord Provest, Baillies, and Council new and old, and whole Deacons of Craftes, ordinari and extraordinari, being convened in Counsell, and (having called upon the Lord for a blessing upon their affairs and indeavours) taking it to their serious consideration, the great prejudice which this city, and good government theireof, hes susteined by the long continuance of Provests, Dean of Gild, and Thesaurers, in their places, and the too great precipitancy which hes been practised in bringing in of Baillies to place and office, befoir their ordinarie course and seasone : For remeid whereof, and to the effect that love, concord, and unity may be kept, not only amongst the wholl Counsell, but also amongst the neighbors and inhabitantis of this city : It is unanimously agriet upoun, statute and ordained, that, in all tyme coming, the Provest, Dean of Gild, and Thesaurer of this Brugh, sall not be elected or continowed in their respective offices, longer then one, or at most twa yeires togidder at one time ; and that the Baillies of this Brugh, in all tyme heirefter, sall only be one yeir Baillie, one yeir old Baillie, and one yeir free of office ; and sall not be put in the lyttis to be Baillie, untill those yeirs be past. And further, it is statute and ordained, that whoever hes bein, or sall be Dean of Gild, is, and sall be alwayis heirefter capable to be lyttit and chosen Baillie, as the Counsell sall think fit : And that no Thesaurer sall be capable to be lytted for, or elected a Baillie, till such tyme as the accomptis of his intromissioun, the tyme of his being Thesaurer, be fitted and approvin be the Counsel. And for the better observance of the premisses, ordains this present act ilk yeir to be solemnly read in presence of the Counsel, the day of making the lytts of the Magistratis, befoir the Counsell, proceid to the making of the lytts. As also, upon the day of electioun of the Magistratis, befoir the Council doe anie thing in relatioun to the said election that none may pretend ignorance.

At Edinburgh, the fourth day of March, One thousand six hundred seventy-three years.

THE which day, the Provest, Baillies, Council, and Deacons of Crafts, Ordinar and Extraordinar, being conveened in council, taking to their serious consideration ane act made by the Provest, Baillies, and Council for the tyme, bearing

date the fyfth day of October, One thousand six hundred fifty-eight years, whereby, upon the great and weighty considerations therein mentioned, it was statute and ordained, that in all tyme coming, the Provest, Dean of Gild, and Thesaurer of this Burgh, should not be elected nor continewed in their respective offices, longer then one, or at mest tuo years togither at one time; and that the Baillies of this Burgh in all time thereaftir, should only be one yeare Baillie, one year Old Baillie, and one yeare free of office; and should not be putt in the leitts to be Baillies, until these years be past, as at more lenth is conteined in the said act: and finding, that the said act is in itself most just and necessary for the good of this burgh, and conform to the laues and acts of Parliament, made anent the election of officers as Magistratts within this Burgh: Therefore the Council does Ratifie, Approve, and Revive the said Act, in the whole heads, articles, and clausses of the samen; and ordaines the samen to have full effect, and to be putt to execution in all tyme coming; and declairs this present general ratification to be as valid and effectuall, as if the said act were herein particularly insert: whereanent the Council have dispensed, and hereby dispenses for ever. Likeas, the Council does rescind and annul all former acts which are any wayes prejudiciall to, or inconsistent with the said act: and particularlie, doe rescind and annul an act bearing date the fourth day of October, One thousand six hundred sixty-four years, rescinding the foresaid act, bearing date the fyft day of October, One thousand six hundred fyfty-eight years; and declairs the said last act to be void and null, and to be prejudicial and derogatorie to the lawes and acts of parliament, and to the Sett and Decreet arbitrall, and the fundamental liberties and privileges of this Burgh. Likeas, the Council being desirous that the foresaid act, of the date the fyft day of October, one thousand six hundred fyfty-eight years, should be inviolably observed in all tyme coming; and that all practices, invasions, and violations thereof, may be the better prevented, the Council doe Statute and Ordaine, That the Provest, Baillies, Councill, and Deacons of Crafts, Ordinar and Extraordinar, for the tyme, shall take an oath for the inviolably observing of the said act in all tyme coming, and that, directly nor indirectly, they shall doe nothing prejudiciall thereto; and which oath is to be yeirlie administrated, and taken by the Provest, Baillies, Dean of Gild, Thesaurer, and whole Council, having vote in the election of the Magistratts: and that immediately before their going about the said election, the said act is to be publicly read in councill, and the oath administrated. And farther, the Council doe statute and ordain, That all elections hereaftir to be made, that are not conforme to the said act, shall be, *ipso facto*, void and null; and the persons swa to be elected, de-

claired to be uncapable of bearing any office of Magistracie within the said Burgh, longer then is prescrived by the said act; and the electors of any persons as magistratts, contrair to the said act, to be holden and repute as unfamous persones, and invaders of the just liberties and privileges of the said Burgh, and lyable in the soume of ane thousand merks Scotts money, each one of them to be applyed be the sight and advice of the Lords of Privie Councill, and Lords of Session, for the common good of this Brugh; and the penalty of five thousand merks, money foresaid, to be inflicted upon such persones as shall happen to be elected contrare to the said act, in case they doe attempt to exerce any office within the said Burgh, otherwayes then is prescryved be the said act, and are declaired by thir presents, and that with all rigour. And it is hereby expresslie provided and declaired by thir presents, that execution shall pass hereupon for the implement and fulfilling of every poynt, clause, and penaltie of this act, at the instance of any merchand, that hes been, or hereaftir shall be members of the Council of this Burgh; or at the instance of any tradsman that hes been, or shall hereaftir be members of the Council of this Burgh; or shall hereaftir be Deacons of crafts, or crafts-counsellors in any tyme coming, and that against the contraveeners and breakers of this present act. Likeas it is hereby declared, That it sall be lawfull and competent to any persone to protest against such illegal elections, and which protestations the clerk is to insert in record, and that the same sall be repute to be true and faithful service for the good and interest of this Burgh. And lastly, the said Lord Provest, Baillies, and Council, for the better security of this present act, in all poynts, does, by their solemn oath, *in verbis de præsenti*, protest before God Almighty, that they sall observe this present act, in all the heads, clauses and articles thereof inviolably in all tyme coming. And, for the more security, the saids Lord Provest, Baillies, and Council, consents to the registration hereof in the Books of Sederunt of the Lords of Session, or the ordinar Books of the saids Lords of Council and Session, to have the strenth of ane decreet of their Lordships interponed thereto, that letters and executorials necessar may pass hereon, and the horning on a simple charge of sex dayes allenarly: and, for that effect, constituts Mr John Lawder advocate, their procurator. In witness whereof (written be William Mackie writer in Edinburgh) they have subscrived thir presents with their hands, day, place, and yeare of God foresaid, beffoir thir witnesses.

Mr Robert Lawder, portioner of Belhaven, Writer in Edinburgh.
And Alexander Gay, Writer there, inserter of the date and witnesses.
Sic subscribitur,

A. Ramsay, Provost.
Thomas Calderwood, Baillie.
John Hall, Baillie.
Alexander Pitcairn, Baillie.
Robert Learmond, Baillie.

Walter Borthwick, Dean of Gild.
Thomas Robertson, Thesaurer.
James Currie.
John Johnston.
Andrew Cheyn.
William Binning.
David Boyd.
Francis Kinloch.
Mungo Wood.
William Carmichael.
James Riddel.
David Swintoun.
John Jossie.
Lawrence Adinstoun.
Alexander Bullerwall.
Robert Elliot.
George Gardner.
Hary Barclay.
Thomas Camble.
Edward Cleghorn.
James Paterson.
Robert Newlands.
David Muir.
John Carss.
George Johnstoun.
William Stevenson.
W ✕ H. William Hopkins, his mark.
Ro. Lawder.
Alex. Gay, witness.

The principal act, subscribed upon the back by the Lord President of the Session, is registrate in the books of Council and Session, and kept amongst the Warrants of the said Decreet.

The Council of Edinburgh has, at all their respective elections, ever since the said Decreet of the Lords of Session, sworn to the inviolable observation of the said Act, and their names are recorded in the Council books of the said burgh.

At Edinburgh, the twelfth day of August, one thousand seven hundred and twenty-six years.

THE which day, the Lord Provost, Magistrates and Council, with the Deacons of Crafts, Ordinary and Extraordinary, considering, That for the ornament and improvement of this city, and for increasing of the annual revenue thereto belonging, tacks of several parts of its property have been granted, namely, of the waste ground lying within the same and its liberties, and that for long terms of years, and at small and inconsiderable tack-duties, for enabling tacksmen to have made such ornament, and to have carried on such improvements, by building of tenements, houses, shops, and cellars thereon. Considering likewise, that such tacksmen and their assignies have not only been reimbursed of the whole expence by them bestowed on building of such tenements, houses, shops, and cellars, by the profits that have thence to them arisen, but also, that they have thereby profited considerably; yet, that thro' inadvertency, prolongations of such tacks have been granted from time to time, at the foresaid low tack-duties, contrary to the intention for which such tacks were originally granted; and whereby the Good Town has been extremely prejudged. Considering also, that the state of the revenues belonging to this city, and of the regular expence thereon chargeable, is such, as

not only doth necessarily require the foresaid tenements, houses, shops, and cellars, on the expiration of the said tacks and prolongations, and all other tenements, houses, shops, and cellars, belonging in property to this city, should not be leased out, or tacks or feu-rights thereof granted, for any rent or duty below two third parts of the real rent thereof, free of all demands, on account of reparation thereto necessary, and of public burdens thereon chargeable; but also, that no part of the other property belonging to this city should be set in tack, or feued out, for any rent or duty below the real rent thereof. Considering further, that this city is restrained by law from contracting any debt, whereby, unless its annual revenue be sufficient to defray its annual regular expence, and be even sufficient to defray what expence may be occasioned by a calamity or accident, it will be a discouragement to any to succeed to the administration; and that the revenue cannot be made sufficient to these purposes, otherwise than by a strict adherence to the rules hereby laid down: therefore, the said Lord Provest, Magistrates, and Council, with the Deacons of Craft, Ordinary and Extraordinary, do hereby statute and ordain, that neither they, nor their successors in office, shall hereafter, on any pretext whatever, during the currency of any tack or tacks, of all or any of the aforesaid houses, tenements, shops, or cellars, grant any prolongations thereof, till within twelve months of their expiration; and that they shall not grant any new tacks or feu-rights thereof, or of any other houses, tenements, shops, and cellars, belonging in property to this city, for any rent which shall be below two third parts of the real rent hereof, nett and free from any demand or deduction, on account of reparations thereto necessary, or of public burdens thereon chargeable; and that neither they, nor their said successors in office, shall hereafter, on any pretext whatever, feu out, or set in tack, any part of the property belonging to this city, other than that of the houses, tenements, shops, and cellars, before mentioned, for a feu-duty or rent which shall be below the full real rent thereof. And for avoiding any doubt or dispute that may arise touching the amount of the aforesaid real rent, either with regard to a tack or feu-right; it is hereby statuted and ordained, that for hereafter no tack or feu-right of any part of the premisses shall be made or granted, till the amount of the real rent thereof be instructed *scripto*, or by the oaths of unexceptionable witnesses; otherwise that the same be set or feued to the highest bidder, at a public roup, duly advertised for at least the space of twenty days previous thereto: provided nevertheless, that it shall be still leisome and lawful to the said Lord Provost, Magistrates, and Council, and their successors, to grant tacks or feu-rights of all or any of the mills belonging to this city, on such terms and conditions as shall to them appear

to tend most to the advantage and benefit of this city, any thing herein contained to the contrary notwithstanding. And to the effect that their presents may be inviolably observed, the said Lord Provost, Magistrates, and Council, with the said Deacons of Craft, Ordinary and Extraordinary, do hereby statute and ordain, that an oath according to the *formula* hereto subjoined, shall be taken and sworn to by them and their said successors, in manner after-mentioned, *viz.* by themselves on the Council-day next hereafter, and by their successors annually, on the Council day when the Lord Provost and Magistrates are elected, immediately after their election. Further statutes and ordains, that if the Lord Provost, or any of the Magistrates and Council, or if any of the said Deacons of Craft, Ordinary and Extraordinary, and their said successors, shall, after the saids times appointed for taking of the said oath, and the same being tendered to them, presume to proceed and act by virtue of their offices, until they take and swear the oath as beforementioned, shall thereby, without any declarator to that purpose, not only forfeit their said offices, but shall also forfeit their titles to the freedom of this city. Likewise statutes and ordains, that all feu-rights and leases of any part of the aforesaid property, which shall be made and granted contrary to the tenor and intent hereof, shall be deemed void and null; and the clerks, and their successors in office, are not only hereby discharged from extending any feu-right or lease contrary to the tenor and intent hereof; but also they are hereby ordained, to read thir presents in Council, and to tender the aforesaid oath to the whole members, as before-directed, and to mark the names of such members as shall refuse to take and swear the same, on pain of forfeiting their offices. Also statutes and ordains, that henceforth, in the month of October annually, a list shall be made out by the Good Town's accomptant, of all shops, houses, cellars, and others aforesaid, belonging to this city, the tacks whereof are to expire within the term of one year next thereafter; and that for the perusal of all concerned, the aforesaid list, so soon as made annually, shall be affixed to pasteboard, and hung up in the Council Chamber; and that the Commissioners from this city to the convention of the Royal Burrows lay thir presents before the said convention, and desire that the same may be by them approven, and that their authority may be thereto interponed. Extracted by

ADAM WATT.

FORMULA OF THE SAID OATH.

I A. B. *in the presence of the Almighty God, do sincerely promise and swear, that directly or indirectly, I shall not consent to the granting of any feu-right, or to the granting or pro-*

longing of any lease of any part of the property belonging to this City, contrary to the tenor and intent of this Act: but that I shall oppose the same to the utmost of my power. So help me God.

Act settling and determining the place at which the Merchants and Craftsmen are to assemble themselves, on the appearance of any Mob or disorder.

At Edinburgh, 3d August, 1737.

THE Lord Provost, Magistrates, and Council, with the Deacons of Crafts, Ordinary and Extraordinary, in council assembled, having taken under their serious consideration, That upon the 7th of September last, a number of unknown, dissolute, wicked and disorderly persons got into this city, and did surprise the City-Guard, and broke open the doors of the prison, and did commit a most barbarous and inhuman murder, which has been attended with consequences very pernicious to this community. Further, considering, that for the peace and preservation of this city, and its just rights and privileges, necessary it is, that all possible precaution be speedily taken to prevent the like for hereafter, wherein every citizen and inhabitant are by many ties bound to assist; and that one useful precaution is, to fix and determine proper places, at which the Magistrates, with the Merchant-council, the Master and Assistants of the Merchant-company, the Deacon-convener, with the whole Deacons of crafts, and their respective Box-master and Quarter-master, with the Preses of the Society of Barbers, and their Box-master and Quarter-master; the Societies of Captains, Lieutenants, and Ensigns; the Society of Constables, and the Society of Fire-masters, with their respective companies, may severally assemble themselves upon the first appearance or notice of every uproar, mob, or tumult, which shall happen within this city, or within any of its privileges, without waiting for any warning or notice by beat of drum, or alarm bell, or any other manner of way; that thereupon means and endeavours may be concerted and directed by the Magistrates themselves, or by the Magistrates with the council, necessary to prevent or suppress such uproars, mobs, or tumults, whereby this city may be effectually secured against such surprises as happened during the time of the aforesaid mob: Therefore, the Lord Provost, Magistrates, and Council, with the Deacons of Crafts, Ordinary and Extraordinary, did, and hereby do unanimously Enact and Ordain, That hereafter, the places at which the Magistrates and Council, and the several Societies herein before and aftermentioned, shall assemble themselves (upon the first appearance or notice of

every uproar, mob, or tumult, which hereafter may happen, without waiting any warning or further notice, as herein beforementioned) shall be as follows, *viz.* The Magistrates and whole Merchant-council, with the Master of the Merchant-company, and his Assistants, at the Council-chamber; the Deacon-convener, and the other thirteen Deacons of Crafts, with their respective Box-masters, and respective Quarter-masters, together with the Preses of the Barbers, and their Quarter-masters, at the Burrow Room; the Society of Captains, Lieutenants, and Ensigns, at the Laigh Council House; the Society of the Constables, at the Lobby to the Inner Session House; the Society of Fire-masters, with their several companies, at that place in the Outer Parliament House where the Sheriff Court sits for the administration of justice. Further, it is hereby Enacted and Ordained, That the several members of the said Merchant-company, and aforesaid Societies of Deacons, Preses, Box-masters, with their said Quarter-masters, Captains, Lieutenants, Ensigns, Constables, and Fire-masters, with their companies, do accordingly assemble themselves at the foresaid respective places, to be ready to receive and execute what orders and directions shall be given, either by the Magistrates themselves, or by any of them, or by the Magistrates and Council, touching the emergent upon which they are assembled, and that under the pain and penalty of one hundred pounds Scots money, to be paid by every offender to the Kirk Treasurer, and his successors in office, for the use of the common poor, for every offence which shall be committed knowingly and willingly against this ordinance. Also, it is hereby Enacted and Ordained, that the Store-keeper, the Mace-bearer, the Dean of Gild Officers, and the sixteen Town Officers in their livery coats, with their halberts, and their respective successors in office, do severally attend the Magistrates at the Council Chamber, when and so often as they shall be assembled there, upon any apprehension of disturbance or disorder from mobs or riots, on pain of deprivation from their respective employments. Likewise, it is hereby Enacted and Ordained, That copies of the act of Parliament made against mobs and riots, be delivered to the members of the said several societies, that they may attend thereunto. Further, it is hereby ordered, that thir presents be printed and proclaimed, and that copies hereof be affixed on all the public places as usual. Also, that copies hereof be delivered by the Magistrates, or by any of them, to the aforesaid several societies, that they may give attention thereto, at such times and places as shall be directed by the Magistrates, or by any of them. Also, it is hereby further ordered, that thir presents shall be annually read in the common council by the common clerks, immediately after the election of the Magistrates; and that the same shall be annually read in the several meetings of the fourteen corporations of craftsmen, by their

respective clerks, immediately after the election of their deacons, box-masters, and quarter-masters; and that the same shall be read annually by the clerk to the Merchant-Company, immediately after the election of the master and assistants; and that the same shall be read annually by the clerk to the Barbers, immediately after the election of the preses and quarter-masters, under the pain and penalty of fifty pound Scots money foresaid, to be paid severally by the common clerks of the city, by the clerks of the fourteen corporations, by the clerk to the Merchant Company, and clerk to the Barbers, to the Kirk-treasurer, and his foresaids, for the use of the common poor, for every neglect, or refusal, in not reading thir presents, as herein before directed. Likewise it is also hereby Ordered, that thir presents be annually read among the said Societies of Captains, Lieutenants, and Ensigns, by the Captain-commandant and his successors, and among the Fire-masters, and their respective companies, by their preses, and his succesors, upon the second Wednesday of October annually; and that the same be also read annually among the Society of Constables, by their Moderator, immediately after his election, under the like pain and penalty of fifty pound money foresaid, to be paid severally by the said commandant, preses, and moderator, to the kirk-treasurer, and his foresaids, for the use before mentioned, for every neglect or refusal, in not reading thir presents, according to the aforesaid direction. And, under the like penalty of fifty pound money foresaid, the respective clerks to the said fourteen corporations of craftsmen, are hereby ordered to make out a list of the names of their box-masters and quarter-masters annually, containing the places of their several abodes, and to deliver the same to the common clerks of this city, within the space of ten days next after every election. Also under the like penalty, and within the like space of time, the clerk to the said Merchant-company is hereby ordered to make a list of the names of the master and assistants, within ten days of their election annually, containing the several places of their abode, and to deliver the same into the common clerks of this city. And the clerk to the Barbers, under the like penalty, and within the like space of time, is hereby ordered to make out a list of the names of their preses, box-master, and quarter-masters, immediately after their election annually, containing the several places of their abode, and to deliver in the same to the common clerks, who are hereby ordered, from the above lists, to be made out and delivered in, as herein before mentioned, and from the records of council, to make out a list of the said masters and assistants of the Merchant-company, of the said whole box-masters and quarter-masters of the said fourteen corporations, of the said preses, box-masters and quarter-masters of the Captains, Lieutenants, and Ensigns, of the Constables, and of the Fire-masters, and their several compa-

nies, containing the several places of their abode; and to affix one copy thereof on the inner wall of the Council-chamber, and another copy thereof on the inner wall of the Laigh Council House, and a third copy thereof on the inner wall of the Guard room, and that annually, within the like space of ten days, after the receipt of the foresaid lists from the other clerks before named, under the like penalty of fifty pound money foresaid, for every neglect or refusal. Extracted,

GEO. IRVING.

ACT for preventing Mobs and Tumults, and altering the places where the Merchants and Craftsmen are to meet, upon the appearance of any insurrection.

At Edinburgh, 12th September, 1777.

WHICH day the Right Honourable the Lord Provost, the Magistrates, and Council, with the Deacons of Crafts, Ordinary and Extraordinary, of the City of Edinburgh, being assembled, the Lord Provost represented to the Council, that several late publications handed about in this city, have a strong tendency to excite mobs and riots within the city and liberties, which he, as chief magistrate, thinks it his duty to take every method to prevent; especially as it is well remembered, what tumult and disorder arose in this city at the last annual election, to the disgrace of good government, the damage of individuals, and breach of his Majesty's peace: That in the act of Council, dated 3d August 1737, entitled, "Act settling and determining the places at which the Merchants and Craftsmen are to assemble themselves on the appearance of any mob or disorder." *(See the preceding Act.)* An alteration is necessary, as to the places where the Magistrates and Council, and other societies, are to assemble, instead of the Council-chamber, Burrow-room, and laigh Council-house: and therefore moved, That other fit places be fixed upon for that purpose; and that the Society of Candlemakers be added to the other societies, who are ordered to attend by that act of Council: That, for his own part, he was resolved to act as his duty required, and, to the best of his judgment, for the preservation of the peace and good order of the community, where he had the honour to preside; and doubted not his brethren in the Magistracy, and other members of the Council, would do the same: but as this opportunity offers, when every member of Council is present, he thought it highly proper to have their advice as to the most effectual means to prevent and suppress such disorders. Which being considered by the Magistrates and Council, they, with the Deacons of Crafts, Ordinary and Extraordinary, do unanimously hereby enact and ordain, that, in time coming, the places of assembling be altered so far, and be fixed as follows, *viz.* For the Magistrates and

whole merchant-council, with the master of the merchant-company and his assistants, at the present Council-chamber, formerly called the Laigh Council-house; for the Deacon Convener, and the other thirteen deacons of crafts, with their box-masters and quarter-masters, together with the preses of the Barbers, and preses of the Candlemakers, and their respective quarter-masters, at the High Justiciary Court-house; and for the Captains, Lieutenants, and Ensigns of the train bands, at the Goldsmith's Hall; and that the preses and quarter-master of the candlemakers do assemble themselves accordingly, to the effect, and under the penalty mentioned in the said act. And, in general, the said society of candlemakers, and their clerks and other officers, are hereby added to, and included in the foresaid act of council, in the same way as the society of Barbers are, or may be. And do resolve and agree, that the said act of council, with these alterations, as to the places of assembling, and the addition of the society of candlemakers, be punctually observed in all time coming; and recommended to the Lord Provost and Magistrates to enforce obedience thereto. And further require and enjoin the deacon or preses of the respective incorporations and societies above named, at their meeting to-morrow, and at every annual election, strictly to charge the several members to do their utmost to prevent their servants, apprentices, and others in their families, or under their authority, from being anyways accessary to, or concerned in mobs, tumults, or uproars, and to warn them of their danger; and appoint extracts hereof to be given out, without abiding a reading in council.

Extracted forth of the Council records of the City of Edinburgh, by

JOHN DUNDAS.

ACT relating to the Treasurer's making Payments, and getting Charters signed.

Edinburgh, 24th January, 1729.

THE Lord Provost, Magistrates, and Council, with the Deacons of Crafts, of the city of Edinburgh, being in Council assembled, and considering, that inconveniencies have and may arise by treasurers making partial payments, without express warrants of Council; Therefore do hereby enact and ordain, that no payment that shall hereafter be made by any treasurer in behalf of the town, shall be allowed, unless there be a warrant extracted and signed by the clerk. And further, do Statute and Ordain, that no charter or precept of *Clare constat* shall hereafter be presented to be signed, till payment of the by-gone feu-duties, and composition be thereon marked and signed by the treasurer for the time being. *Extracted.*

ACT of Council, anent the revising of writings granted to or by the city of Edinburgh.

Edinburgh, 10*th November*, 1738.

THE Lord Provost, Magistrates, and Council, with the Deacons of Crafts, of the city of Edinburgh, being in Council assembled, and considering, that from experience it does appear, that errors and mistakes have been made, both in writings granted by and to the city-treasurer, in behalf of the city, detrimental to the community, which could not be charged on any particular person, by reason that hitherto there was no rule, whereby the revisal of such writings was committed to any particular person: Therefore it is hereby ordered, that hereafter the city-treasurer, nor his successors in office, shall neither receive any writing or security to be granted to him for the use of this city, nor shall sign any writing or security to be granted by him in behalf of this city, till the same shall be revised and examined by one of the clerks to the city, and marked so by the initial letters of the reviser, and the reviser to be answerable for any error or mistake that may be in the same. And ordered, that thir presents be read annually upon the election-day immediately after the election of the Magistrates.

ACT of Council, settling an annual Salary of 300l. sterling on the Lord Provost and his successors, for maintaining the dignity of the chair.

Edinburgh, 10*th Sept.* 1718.

THE Lord Provost, Magistrates, and Council, with the Deacons of Crafts, of the city of Edinburgh, being in Council assembled; and taking into their consideration the inconveniencies which have arisen to the good town, and to the office of Lord Provost thereof, from the practice of giving earnest-money at the roup of the common good; from the secret acknowledgments made in money, or otherwise, by persons who come into lucrative offices; and from the gratuities of the same kind, given by those who obtain feus, or tacks of houses, lands, and other branches of the town's revenue: Having found, that the money ordinarily paid to the Lord Provost for wines, house-rent, burgess-tickets, &c. does exceed the sum of two hundred pounds sterling *per annum*, and, including acknowledgments and gratuities, may be reckoned to exceed the sum of three hundred pounds sterling, when taken at a medium of years: And considering how reasonable it is, the Lord Provost should be enabled to support the character, and defray the necessary expence of his office, and that it is of use for establishing regularity in the good town's affairs, honourable to the community, and particularly to the office of the Lord Provost, that a certain sum be agreed on, to be annually paid to the present Lord Provost,

and his successors in office, in lieu, place, and stead of all emoluments, ordinary and casual, (the ordinary fee of twenty pounds scots excepted) which have, or may pertain to the office of Lord Provost; particularly, in lieu and place of the money usually paid for wines, house-rent, burgess-tickets, earnest-money, &c. Do therefore Statute and Ordain, that the sum of three hundred pounds sterling be paid to William Neilson, Esquire, present Lord Provost, in name of salary for the year commencing at Michaelmas 1717, and ending at Michaelmas 1718, and annually thereafter, in the month of September, to him, and his successors in office, during the years thereof; and that Robert Wightman, present city-treasurer, do pay the present Lord Provost the said sum of three hundred pounds sterling, as the salary of his office for this present year. And, in order effectually to prevent the payment of any money, in time coming, to those who bear the office of Lord Provost, by the Dean of Guild, by the city-treasurer, by persons who come into lucrative offices, or by those who get feus, or tacks of the good town's revenue, or on any account or pretext whatsomever, (the foresaid fee excepted) be it Enacted, likeas the Council, with the extraordinary Deacons of Crafts hereby Enacts, Statutes and Ordains, that annually, on the council-day in which warrants are given for leeting the Deacons, the town-treasurer shall move the Council for, and obtain an act, as his warrant for paying the said sum of three hundred pounds sterling; at which time, and before granting of the said act, the following oath shall be administered by the town-clerk, solemnly and openly in Council, to the then Lord Provost, and signed by him.

" I do solemnly swear and promise, that I have not, at any " time since my last election into the office of Lord Provost, " received, directly or indirectly, any earnest-money, acknow- " ledgment, or gratuity whatsoever, from any person or per- " sons, in order to their election, or on account of their being " elected into any lucrative office, or on account of tacks, or " feus of houses, lands, mills, or any other part or branch of " the Good Town's Common Good, granted, or to be granted " them; neither has any person received the same for my ac- " count and behoof, directly or indirectly, to the best of my " knowledge or belief. And I do sincerely promise and swear, " that I shall not, for the future, receive any money, or other " gratuity, on the foresaid account, directly or indirectly, nor " allow any person to receive it for my behoof: and do likewise " promise, that, if at any time hereafter I shall come to the " knowledge of it, that any person or persons have received " money, or other gratuity, for my behoof, as said is, that I " shall immediately acquaint the council therewith, and pay the " money so received to the city-treasurer then being. This I

" solemnly swear, and promise by God, and as I shall answer " to him at the great day."

Be it also Enacted, likeas it is hereby Enacted, Statuted and Ordained, that, in case at any time it should appear, and be made evident, that any person, who shall bear the office of Lord Provost, has, contrary to the meaning of this act, received money or other gratuity, by himself or others, on any of the foresaid accounts, he shall, *ipso facto*, forfeit the said sum of three hundred pounds sterling, which has been paid him by the city-treasurer, by and attour repayment of the money, or other gratuity so received, and be liable to be sued therefor at law, at the instance of the treasurers to the Merchants and Trades Maiden Hospitals, or either of them, or at the instance of any person or persons who has been a member or members of the town-council of this city, for the use and behoof of the said hospitals, in equal proportions; and for the more security, it is hereby Statute and Ordained, that every person who is admitted into any lucrative office, or who obtains feus or tacks from the town-council, or persons to whom tacks or feus of houses, lands, mills, or any other part or branch of the town's common good, or of the hospitals lands, under the town's administration, have been, or are to be set, or who are soliciting for offices, or elected into them by the town-council, shall, at his or their admission into the said office, or at the obtaining the said feus or tacks from the town-council, make oath, that neither he or they, nor any person on his or their behalf, have given any good deed, or promise thereof, to the Lord Provost, or any member of the council, or to any other person or persons for their behoof, in order to obtain the same; neither shall give any gratuity, acknowledgement, or good deed, in order to obtain his or their offices, feus, or tacks, in time coming; and if he shall hereafter learn, that any other person has given any gratuity, acknowledgment, or good deed whatsoever, in his behalf, he shall faithfully and immediately reveal it to the council. And, lastly, it is Statute and Ordained, that this act shall be annually read in council, after the election, upon the same council-day in which the election is made; and that a copy of it shall be written with a fair hand, upon a large sheet of parchment, to be signed by every Lord Provost at his admission into his office.

Act of Council settling a salary of 500*l.* sterling *per annum* on the Right Honourable the Lord Provost of the City of Edinburgh.

At Edinburgh the ninth day of January, one thousand seven hundred and seventy-one years,

Which day the Right Honourable the Lord Provost, the Magistrates and Council, with the deacons of crafts, ordinary

and extraordinary, of the city of Edinburgh, being assembled, the report of the committee, respecting the settling of five hundred pounds sterling of salary annually, to be paid to the Lord Provost for supporting the dignity of the chair, as ingrossed in last sederunt, being this day again read in council, the tenor whereof follows:—"Bailie Carmichael, as Preses of the committee to whom it was remitted, by minute of council of the twenty-sixth *ultimo*, to take into consideration what was a proper salary to be given annually to the Lord Provost, for supporting the dignity of the office, reported, that they were unanimous in opinion, that the salary presently annexed to the office was not at all suitable to the dignity, nor adequate to the expence of the honourable discharge thereof, by reason of the great rise in the price of provisions, especially of wines, and also of house-rents, and the different manner of entertaining since that salary was fixed: and therefore, were further unanimous in opinion, that the act of council passed on the 10th of September 1718, so far as it has settled a salary of three hundred pounds *per annum* on the Lord Provost, should be repealed in that respect only: that the sum of five hundred pounds sterling should be paid to John Dalrymple, Esq.; present Lord Provost of this city, in the month of September next, in name of salary, for the current year, commencing at Michaelmas last; and the like sum annually, in name of salary, in the month of September, in time coming, to the said Lord Provost and his successors in office; and that the foresaid act of council, of date the 10th of September 1718, should be of new ratified and confirmed in the haill other articles and heads thereof." They unanimously approved thereof; and Did, and hereby Do Rescind the act of Council passed on the tenth of September, one thousand seven hundred and eighteen, so far as it has settled a salary of three hundred pounds *per annum* on the Lord Provost: and Statute and Ordain, that the sum of five hundred pounds sterling shall be paid to John Dalrymple, Esq.; present Lord Provost of this city, in the month of September next, in name of salary, for the current year, commencing at Michaelmas last, and the like sum annually, in name of salary, in the month of September, in time coming, to the said Lord Provost and his successors in office: and Ratify and Confirm the foresaid act of council, of date the tenth of September, one thousand seven hundred and eighteen, in the haill other heads and articles thereof.

Extracted forth of the Council Records of the City of Edinburgh, by JOHN DUNDAS.

By Act of Council, each member of the Ordinary Council, who is *sero*, (that is, one quarter after the hour of meeting,) is to pay sixpence, and if absent one shilling; the Preses and Clerk paying double of these fines.

Acts of Parliament, relative to the Election of Members to serve in the House of Commons.

Anno Sexto, ANNÆ REGINÆ.

An Act for rendering the union of the Two Kingdoms more entire and complete.

Whereas by her Majesty's great wisdom and goodness, the union of the two kingdoms hath been happily effected, and the whole island is thereby subject to one Sovereignty, and represented by one parliament: to the end, therefore, that the said union may be rendered more complete and entire, be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present parliament assembled, and by the authority of the same, that from and after the first day of May, in the year of our Lord, one thousand seven hundred and eight, the Queen's Majesty, her heirs and successors, shall have but one Privy-Council in or for the kingdom of Great Britain, to be sworn to her Majesty, her heirs and successors, as Sovereigns of Great Britain; and such Privy-Council shall have the same powers and authorities as the Privy-Council of England lawfully had, used, and exercised at the time of the Union, and none other.

And to the end the public peace may be in like manner preserved throughout the whole kingdom, be it further enacted, by the authority aforesaid, That in every shire and stewartry within that part of Great Britain called Scotland, and also in such cities, boroughs, liberties, and precincts within Scotland, as her Majesty, her heirs or successors, shall think fit, there shall be appointed by her Majesty, her heirs or successors, under the great Seal of Great Britain, a sufficient number of good and lawful men to be Justices of the Peace within their respective shires, stewartries, cities, boroughs, liberties or precincts, which persons so appointed, over and above the several powers and authorities vested in Justices of the Peace by the laws of Scotland, shall be further authorised to do, use, and exercise over all persons within their several bounds, whatever doth appertain to the office and trust of a Justice of Peace, by virtue of the laws and acts of parliament made in England before the Union, in relation to or for the preservation of the public peace. Provided nevertheless, that in the sessions of the peace the methods of trial and judgments shall be according to the laws and customs of Scotland.

Provided, that nothing in this act contained shall be construed to alter or infringe any rights, liberties or privileges heretofore granted to the City of Edinburgh, or to any other Royal Bo-

rough, of being Justices of the Peace within their respective bounds.

And whereas by an Act made in Scotland, in the third session of the second parliament of the late King Charles the Second, intituled, "An act concerning the regulation of the judicatories," several good and wholesome provisions were made concerning the Justice-Court; and, amongst others, it was thereby enacted, that once a year Circuit Courts should be kept at the time and places in the said act mentioned: now, for the better and speedier administration of justice, and further preservation of the public peace in that part of the kingdom of Great Britain called Scotland, be it also enacted by the authority aforesaid, that for the future, twice in the year, that is to say, in the months of April or May, and in the month of October, Circuit Courts shall be kept in the several places in the said act mentioned, and in manner and form as in the said act contained.

And for the more uniform and express method of electing and returning members of Parliament, be it likewise further enacted by the authority aforesaid, that when any Parliament shall at any time hereafter be summoned or called, the Forty-five Representatives of Scotland in the House of Commons of the Parliament of Great Britain, shall be elected and chosen by authority of the Queen's writs under the Great Seal of Great Britain, directed to the several sheriffs and stewarts of the respective shires and stewartries; and the said several sheriffs and stewarts shall, on receipt of such writs, forthwith give notice of the time of election for the knights or commissioners for their respective shires or stewartries; and at such time of election the several freeholders in the respective shires or stewartries shall meet and convene at the head boroughs of their several shires and stewartries, and proceed to the election of their respective commissioners or knights for the shire or stewartry; and the clerks of the said meeting, immediately after the said elections are over, shall respectively return the names of the persons elected to the sheriff or stewart of the shire or stewartry, who shall annex it to his writ, and return it with the same into the court out of which the writ issued: and as to the manner of election of the Fifteen Representatives of the Royal Boroughs, the sheriffs of the shire of Edinburgh shall, on the receipt of the writ directed to him, forthwith direct his precept to the Lord Provost of Edinburgh, to cause a burgess to be elected for that city; and, on receipt of such precept, the city of Edinburgh shall elect their Member, and their common clerk shall certify his name to the Sheriff of Edinburgh, who shall annex it to his writ, and return it with the same into the court from whence the writ issued: and as to the other Royal Boroughs, divided into fourteeen classes or districts, the sheriffs or stewarts of the several shires and stewartries, shall, on the receipt of their se-

veral writs, forthwith direct their several precepts to every Royal Borough within their respective shires or stewartries, reciting therein the contents of the writ, and the date thereof, and commanding them forthwith to elect each of them a commissioner as they used formerly to elect commissioners to the parliament of Scotland, and to order the said respective commissioners to meet at the presiding borough of their respective district (naming the said presiding borough) upon the thirtieth day after the day of the test of the writ, unless it be upon the Lord's Day, commonly called Sunday, and then the next day after, and then to choose their burgess for the parliament; and the common clerk of the then presiding borough shall, immediately after the election, return the name of the person so elected to the sheriff or stewart of the shire or stewartry wherein such presiding borough is, who shall annex it to his writ, and return it with the same into the court from whence the writ issued: and in case a vacancy shall happen in time of parliament, by the decease or legal incapacity of any member, a new member shall be elected in his room, conformable to the method herein before appointed; and in case such vacancy be of a representative for any one of the said fourteen classes, or districts of the said royal boroughs, that borough which presided at the election of the deceased or disabled member, shall be the presiding borough at such new election.

Provided always, that upon the issuing of writs of summons for the electing of a parliament, if any shire or stewartry wherein a royal borough is, hath not then a turn, or right to elect a commissioner, or knight of the shire or stewartry for that parliament, that then it shall be omitted out of the writ directed to such sheriff or stewart, to cause a knight, or commissioner for that shire or stewartry to be elected for that parliament.

ANNO SECUNDO

GEORGII II. REGIS.

An Act for the more effectual preventing bribery and corruption in the elections of Members to serve in Parliament

Preamble. WHEREAS it is found by experience, that the laws already in being have not been sufficient to prevent corrupt and illegal practices in the election of members to serve in parliament; for remedy, therefore, of so great an evil, and to the end that all elections of members to parliament may hereafter be freely and indifferently made, without charge or expence, be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and

Commons, in this present parliament assembled, and by the authority of the same, that from and after the 24th day of June, in the year of our Lord 1729, upon every election of any member or members to serve for the Commons in Parliament, every freeholder, citizen, freeman, burgess, or person having, or claiming to have a right to vote, or be polled at such election, shall, before he his admitted to poll at the same election, take the following oath, (or being one of the people called Quakers, shall make the solemn affirmation appointed for Quakers) in case the same shall be demanded by either of the candidates, or any two of the electors; that is to say,

Electors of Parliamentmen to take the following oath, if demanded.

Elector's Oath. "I *A. B.* do swear, (or, being one of the people called Quakers, I *A. B.* do solemnly affirm) I have not "received, or had by myself, or any person whatsoever in trust "for me, or for my use and benefit, directly or indirectly, any "sum, or sums of money, office, place, or employment, gift, or "reward, or any promise or security for any money, office, em- "ployment, or gift, in order to give my vote at this election, "and that I have not been polled at this election."

Presiding officer to administer it, on forfeiture of 50*l*.

Which oath or affirmation the officer or officers presiding, or taking the poll at such election, is and are hereby impowered and required to administer *gratis*, if demanded, as aforesaid, upon pain to forfeit the sum of Fifty Pounds, of lawful money of Great Britain, to any person that shall sue for the same, to be recovered, together with full costs of suit, by action of debt, bill, plaint, or information, in any of his Majesty's Courts of Record at Westminster, wherein no essoine, protection, wager of law, or more than one emparlance, shall be admitted or allowed; and if the said offence shall be committed in that part of Great Britain called Scotland, then to be recovered, together with full costs of suit, by summary action, or complaint before the Court of Session, or by prosecution before the Court of Justiciary there, for every neglect or refusal so to do: and no person shall be admitted to poll, till he has taken and repeated the said oath, in a public manner, in case the same shall be demanded, as aforesaid, before the returning officer, or such others as shall be legally deputed by him.

Sheriff, or other returning officers, admitting any to be polled, before sworn, to forfeit 100*l*.

And be it further enacted, that if any Sheriff, Mayor, Bailiff, or other returning officer, shall admit any person to be polled, without taking such oath or affirmation, if demanded, as aforesaid, such returning officer shall forfeit the sum of one hundred pounds, to be recovered in manner aforesaid, together with full costs of suit; and that if any person shall vote or poll at such election, without having first

taken the oath, or, if a Quaker, having made his affirmation, as aforesaid, if demanded, such person shall incur the same penalty which the officer is subject to for the offence above mentioned.

Voters to incur the like penalty.

Returning officer, after reading the writ, to take the following oath.

And be it further enacted by the authority aforesaid, that every Sheriff, Mayor, Bailiff, headborough, or other person, being the returning officer of any Member to serve in Parliament, shall immediately after the reading the writ or precept for the election of such member, take and subscribe the following oath, *videlicet*,

" I, *A. B.* do solemnly swear, That I have not, directly " nor indirectly, received any sum or sums of money, office, " place, or employment, gratuity, or reward, or any bond, bill, " or note, or any promise or gratuity whatsoever, either by " myself, or any other person to my use, or benefit, or advan- " tage, for making any return at the present election of Members " to serve in parliament; and that I will return such person or " persons, as shall, to the best of my judgment, appear to me " to have the majority of legal votes."

Which oath, any justice or justices of the peace of the said county, city, corporation or borough, where such election shall be made, or, in his or their absence, any three of the electors, are hereby required and authorised to administer; and such oaths, so taken, shall be entered among the records of the sessions of such county, city, corporation, and borough, as aforesaid.

What votes shall be deemed legal.

And be it enacted by the authority aforesaid, that such votes shall be deemed to be legal, which have been so declared by the last determination in the House of Commons; which last determination concerning any county, shire, city, borough, cinque-port, or place, shall be final to all intents and purposes whatsoever, any usage to the contrary notwithstanding.

Penalty of wilful perjury.

And be it further enacted by the authority aforesaid, that if any returning officer, elector, or person taking the oath or affirmation herein before mentioned, shall be guilty of wilful and corrupt perjury, or of false affirming, and be thereof convicted by due course of law, shall incur and suffer the pains and penalties which by law are enacted or inflicted in cases of wilful and corrupt perjury.

Persons convicted never capable to vote.

And be it further enacted by the authority aforesaid, that no person convicted of wilful and corrupt perjury, or subornation of perjury, shall, after such conviction, be capable of voting in any election of any Member or Members to serve in Parliament.

Persons taking money or reward for their vote, &c. forfeit 500*l.* and disabled to vote in any election.

And be it further enacted by the authority aforesaid, that if any person who hath, or claimeth to have, or hereafter shall have, or claim to have, any right to vote in any such election, shall, from and after the said 24th day of June, which shall be in the year of our Lord 1729, ask, receive, or take any money, or other reward, by way of gift, loan, or other device; or agree or contract for any money, gift, office, employment, or other reward whatsoever, to give his vote, or to refuse or forbear to give his vote, in any such election; or if any person by himself, or any person employed by him, doth or shall, by any gift or reward, or by any promise, agreement, or security for any gift or reward, corrupt or procure any person or persons to give his or their vote or votes, or to forbear to give his or their vote or votes, in any such election, such person, so offending in any of the cases aforesaid, shall, for every such offence, forfeit the sum of Five Hundred Pounds of lawful money of Great Britain, to be recovered as before directed, together with full costs of suit: and every person offending in any of the cases aforesaid, from and after judgment obtained against him in any such action of debt, bill, plaint, or information, or summary action, or prosecution, or being any otherwise lawfully convicted thereof, shall for ever be disabled to vote in any election of any Member or Members to Parliament, and also shall for ever be disabled to hold, exercise, or enjoy any office or franchise, to which he and they then shall, or at any time afterwards may be entitled, as a member of any city, borough, town corporate, or cinque-port, as if such person was naturally dead.

Offenders in 12 months after the election discovering others indemnified.

And be it further enacted by the authority aforesaid, that if any person offending against this act shall, within the space of 12 months next after such election as aforesaid, discover any other person or persons offending against this act, so that such person or persons, so discovered, be thereupon convicted, such person so discovering, and not having been before that time convicted of any offence against this act, shall be indemnified, and discharged from all penalties and disabilities which he shall then have incurred by any offence against this act.

The act to be read by the Sheriff, &c. after reading the writ.

And, for the more effectual observance of this act, be it enacted, that all and every the Sheriffs, Mayors, Bailiffs, and other officers, to whom the execution of any writ or precept for electing any Member or Members to serve in Parliament shall belong or appertain, shall, and are hereby required, at the time of such election, immediately after the reading such writ or precept, read, or cause to be read, openly before the electors there assembled, this present act, and every clause therein contained; and the same shall also openly be read once in every

And at the Quarter Sessions after Easter.

year at the general quarter sessions of the peace to be holden next after Easter, for any county or city, and at every election of the chief Magistrate in any borough, town-corporate, or cinque-port, and at the annual election of Magistrates and town-counsellors, for every borough within that part of Great Britain called Scotland.

Wilful offence forfeits 50l.

And be it further enacted by the authority aforesaid, that every sheriff, under-sheriff, mayor, bailiff, and other officer, to whom the execution of any writ or precept for the electing of Members to serve in Parliament doth belong, for every wilful offence, contrary to this act, shall forfeit the sum of Fifty Pounds, to be recovered, together with full costs of suit, in the manner before directed.

Prosecution to commence within 2 years.

Provided always, and it is hereby declared and enacted by the authority aforesaid, that no person shall be made liable to any incapacity, disability, forfeiture, or penalty, by this act laid or imposed, unless prosecution be commenced within two years after such incapacity, disability, forfeiture, or penalty shall be incurred, or in case of a prosecution, the same be carried on without wilful delay; any thing herein contained to the contrary notwithstanding.

TABLE of the Steps of Procedure in the Election of the Deacons of Crafts, Councillors, and Magistrates of Edinburgh.

If Michaelmass falls on	Deacons warned to leet, *Wednesday,*	Deacons leeted, *Friday,*	Deacons presented and Council-Deacons elected, *Wednesday,*	No Business, *Friday,*	Merchant and Trades Councillors elected, *Wednesday,*	Magistrates, leeted, *Friday,*	Election of Magistrates. *Tuesday,*
Sunday,	*Sept.* 11.	*Sept.* 13.	*Sept.* 18.	*Sept.* 20.	*Sept.* 25.	*Sept.* 27.	*Octob.* 1.
Monday,	10.	12.	17.	19.	24.	26.	*Sept.* 30.
Tuesday,	9.	11.	16.	18.	23.	25.	*Octob.* 6.
Wednesday,	8.	10.	15.	17.	22.	24.	*Octob.* 5.
Thursday,	14.	16.	21.	23.	28.	30.	*Octob.* 4.
Friday,	13.	15.	20.	22.	27.	29	*Octob.* 3.
Saturday,	12.	14.	19.	21.	26.	28	*Octob.* 2.

THOMAS TURNBULL, *Printer.*